

MEETING NOTICE AND AGENDA

MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting

Monday, October 15, 2012 ■ 7:00 PM

Audrey P. Beck Municipal Building ■ 4 South Eagleville Road ■ Council Chambers

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes**
 - a. October 1, 2012 Regular Meeting
 - b. October 10, 2012 Field Trip Minutes
- 4. Zoning Agent's Report**
 - Monthly Activity Update
 - Enforcement Update
 - Other

5. Public Hearings

7:05 p.m.

New Special Permit Application, 54 residential apartments, 73 Meadowbrook Lane, Whispering Glen-Lakeway Farms, L.P., owner/applicant: PZC File #1284-2

(To be opened and tabled- Presentation and discussion held at Continued Public Hearing on 11/5/12)

7:06 p.m.

Application to Amend the Mansfield Zoning Map-Storrs Center Special Design District/Master Plan, Storrs Center Alliance, LLC, owner/applicant: PZC File #1246-10

7:15 p.m.

New Special Permit Application, Assembly/Banquet Hall and associated uses, 476 Storrs Road; Healey, owner/applicant: PZC File #1312

6. Old Business

- a. **Application to Amend the Mansfield Zoning Map-Storrs Center Special Design District/Master Plan, Storrs Center Alliance, LLC, owner/applicant: PZC File #1246-10**
- b. **New Special Permit Application, Assembly/Banquet Hall and associated uses, 476 Storrs Road; Healey, owner/applicant: PZC File #1312**
- c. **New Special Permit Application, 54 residential apartments, 73 Meadowbrook Lane, Whispering Glen-Lakeway Farms, L.P., owner/applicant: PZC File #1284-2**
(Tabled Public Hearing Continued to 11/5/12)
- d. **Live Music Permit Renewals**
(Tabled Public Hearing Scheduled for 11/5/12)

Binu Chandy ■ JoAnn Goodwin ■ Roswell Hall III ■ Katherine Holt ■ Gregory Lewis ■ Peter Plante
Barry Pociask ■ Kenneth Rawn ■ Bonnie Ryan ■ Alex Marcellino (A) ■ Vera Stearns Ward (A) ■ Susan Westa (A)

- e. **Special Permit Application, Seasonal Aerial Forest Ropes Course, west of Baxter Road on Storrs Road; Kueffner/Stoddard, owner/applicant: PZC File #1313**
(Tabled Public Hearing Continued to 11/19/12)
 - f. **Eastbrook Mall Modification Request, PZC File #1307**
Memo from Director of Planning and Development
 - g. **Other**
- 7. New Business**
- a. **Draft Revisions to Zoning Regulations**
Memo from Director of Planning and Development
- 8. Other**
- 9. Reports from Officers and Committees**
- a. **Chairman's Report**
 - b. **Regional Planning Commission**
 - c. **Regulatory Review Committee**
 - d. **Planning and Development Director's Report**
 - e. **Other**
- 10. Communications and Bills**
- a. September 17, 2012 Letter from DEEP re: CL&P Interstate Reliability Project
 - b. Fall 2012 CFPZA Quarterly Newsletter
 - c. October 5, 2012 Letter from Chairman Goodwin Re: Draft 2013-2018 CT Conservation and Development Policies Plan
 - d. October 10, 2012 ZBA Decision Notice
 - e. **Other**
- 11. Adjournment**

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, October 1, 2012
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), B. Chandy, R. Hall (7:15pm-10:12pm), K. Holt, G. Lewis, B. Pociask, K. Rawn, B. Ryan
Members absent: P. Plante,
Alternates present: A. Marcellino, V. Ward, S. Westa
Staff Present: Linda Painter, Director of Planning and Development

Chairman Goodwin called the meeting to order at 7:15 p.m., appointing Marcellino to act in Plante's absence.

Minutes:

9-4-12 Meeting Minutes- Ryan MOVED, Rawn seconded, to approve the 9/4/12 meeting minutes as written. MOTION PASSED with all in favor except Hall who was disqualified. Lewis noted for the record that he listened to the recording.

9-19-12 Field Trip Minutes- Ryan MOVED, Holt seconded, to approve the 9/18/12 field trip meeting minutes as written. MOTION PASSED with Goodwin, Holt, Marcellino and Ryan in favor and all others disqualified.

Zoning Agent's Report: Noted. Commissioner Hall questioned if the PZC has any control over the use of the lights at the E.C.S.U. ballfield on Mansfield City Road, noting that it is difficult for drivers along Mansfield City Road to see when the lights are shining.

Public Hearings:

New Special Permit Application, Assembly/Banquet Hall and associated uses, 476 Storrs Road; Healey, owner/applicant: PZC File #1312

Chairman Goodwin opened the Public Hearing at 7:17 p.m. Members present were Goodwin, Chandy, Hall, Holt, Lewis, Pociask, Rawn, Ryan, and alternates Marcellino, Ward and Westa. Marcellino was appointed to act. Linda Painter, Director of Planning and Development read the legal notice as it appeared in the Chronicle on 9-18-12 and 9-26-12 and noted the following communications received and distributed to the Commission members; application and supplemental material submitted on 8-30-12 & 9-28-12; 3-5-12 report from David T. Faist, PE of Faist Engineering Re: Site Drainage Improvement's; 5-3-12 Perc Test Report from Geoffrey Havens, RS, EHHD; 8-31-12 report from David T. Faist, PE of Faist Engineering Re: Sanitation Report and Aquifer Area Performance Standards; 9-19-2012 Referral from PZC to staff and commissions; 9-25-12 report from Fran Raiola, Assistant Chief/Deputy Fire Marshal; 9-26-12 report from Grant Meitzler, Assistant Town Engineer; 9-27-12 report from Linda Painter, Director of Planning and Development; 9-28-12 letter of support from Rudy J. Favretti; a 10-1-12 report from Geoffrey Havens, RS, EHHD; RE: Subsurface Sewage Disposal System Plan Approval; 10-1-12 email of opposition from Amber Johnston, 477 Storrs Road; and 10-1-12 letter of opposition from Bill Petix, 4 Echo Road.

Michael Healey, owner/applicant, summarized his resume and the history of the property and buildings. He reviewed his proposed plans for the barn and the repairs necessary to maintain the structure. Healey proposed using the barn as a place of assembly and banquet hall. The hours of operation will be predominantly when the other uses on the property are closed. The office spaces are typically open Monday-Friday 8am to 5pm. The banquet hall proposed hours of operation are: Friday 6pm -12am, Saturday 11am – 12am, and Sunday 11am -10 pm. Occasionally the banquet hall may be used during the week in the evening. He stated that all music will cease by 11:30pm and the facility will be vacated by 12 a. m. Healey stated that the seating plan allows for an estimated 170 guests. He discussed the parking layout and overflow parking plan for the 2.6 acre site. He stated the septic system has been designed for a peak flow of 200 people. He reviewed the landscape plan, the proposed drywells to handle the roof run-

off, the guest suite, a one bedroom apartment to be used by possibly the bride and groom during the function, his sound testing and a plan for an outdoor, lighted gazebo for potential outdoor ceremonies. Chairman Goodwin noted that the public hearing will be kept open in order to allow for all interested parties to speak and for the Commission to process the information presented. Members posed preliminary questions to the applicant regarding: the sound controls (insulation) for the barn; Historic Village Guidelines; Hours of Operation; and the sound study.

Crawford Elder, 1017 Warrenville Road expressed concern about the noise and sounds carrying in Mansfield Center, and noted the history of the area, the cemetery and wetlands bogs adjacent to the site. Bill Petix, 4 Echo Road expressed concerns about the noise and the change to the character and nature of Mansfield Center. He feels this will be a nuisance to the residents.

Jennifer Oliver, 42 Cemetery Road feels this application will change the character of Mansfield Center because of the noise and traffic. She requested a professional noise study be conducted and regular reviews of the permit if approved.

Chairman Goodwin adjourned the public hearing at 9:10 pm and noted that it will be continued at the 10/15/12 meeting.

Application to Amend the Mansfield Zoning Map-Storrs Center Special Design District/Master Plan, Storrs Center Alliance, LLC, owner/applicant: PZC File #1246-10

Chairman Goodwin opened the Public Hearing at 9:18 p.m. Members present were Goodwin, Chandy, Hall, Holt, Lewis, Pociask, Rawn, Ryan, and alternates Marcellino, Ward and Westa. Marcellino was appointed to act. Linda Painter, Director of Planning and Development read the legal notice as it appeared in the Chronicle on 9-18-12 and 9-26-12 and noted the following communications received and distributed to the Commission members; 8-29-12 application and supplemental material; 9-19-2012 referral from PZC to staff and commissions; 9-24-2012 letter of support from Philip Lodewick, President of Mansfield Downtown Partnership Board of Directors; 9-19-2012 set of draft minutes from the Conservation Commission; 9-27-12 report from Linda Painter, Director of Planning and Development; 9-30-12 email of opposition from Sherry Hilding, 104 Courtyard Lane; 10-1-12 letter of support from Michael Kirk, Deputy Chief of Staff at UConn; and 10-1-12 letter from John Morey, 129 Courtyard Lane (distributed this evening).

Macon Toledano, Lleyland Alliance, reviewed and submitted a powerpoint presentation outlining the details of the Phase 4 project. He noted the differences from the previously approved plan, highlighting the reduction in height and dimensions of the newly proposed structure.

Geoff Fitzgerald, BL Companies, reviewed the stormwater management design which outlets to a bio-filter system, adding that with this new plan, there is a slight reduction in stormwater runoff from the previously approved plan.

Martin Fox, 1 Storrs Heights, supports the application. He stated that it will be nice to have a small town grocery store within walking distance of his home and feels this downsized plan is better and more sustainable than the prior plan. Fox added that the plans for the café and pergola create a nice "community area" that fits well with the overall plan.

Ida Millman, Glen Ridge, supports the application and is looking forward to having this within walking distance of her home. She hopes they will carry organic food.

Mary Hirsch, 106 Courtyard Lane, stated that she has lived in Mansfield for over 35 years and moved to Courtyard to be closer and have access to the Downtown area. She expressed concerns about the views of the open parking lot for those who live in Courtyard and asked that they consider reducing the size of the

parking lot and number of spaces to encourage pedestrian instead of vehicular traffic. She also hopes there will be a sufficient tree and fence buffer along Route 195 and Post Office Road to protect the views of those who reside within the Courtyard community. Lastly, she is concerned with the amount of trucks entering and exiting the site and requested that the delivery times be monitored.

Mayor Betsey Paterson, 79 Independence Drive, supports the application.

Melissa Bugdal, 9 Dog Lane at Oak Square, is excited to live in the Downtown area and having a grocery store within walking distance is ideal for all who reside in the area.

Kristen Schwab, 6 Mohegan Square, supports the application and commended the developers on the design. She noted that the grading of the parking area will be raised higher and residents at Courtyard will be unable to see the parking lot, and that street landscaping is crucial for the area.

Peter Millman, 122 Dog Lane, supports the application and likes that the store will be within walking distance resulting in less dependence on cars/gas therefore reducing Mansfield's carbon footprint. He stated that he likes Price Chopper as a company and thinks it's a good fit for our community.

Sherry Hilding, 104 Courtyard Lane, does not support this application added that she like the original plan for an underground garage, not surface parking as now proposed. She added that if approved, a landscaping buffer along Post Office Road will be crucial.

Manny Haidous, 102 Cedar Swamp Road, is in favor of the application and Price Chopper as a neighbor. He stated that he is working with the developer to address some issues that have arisen.

Chairman Goodwin adjourned the public hearing at 10:12 pm and noted that it will be continued at the 10/15/12 meeting.

**** At 10:12 p.m. Ros Hall excused himself from the meeting. Goodwin appointed Ward to act in his absence.**

Old Business:

- a. **New Special Permit Application, Assembly/Banquet Hall and associated uses, 476 Storrs Road; Healey, owner/applicant: PZC File #1312**
Item tabled-public hearing continued.
- b. **Application to Amend the Mansfield Zoning Map-Storrs Center Special Design District/Master Plan, Storrs Center Alliance, LLC, owner/applicant: PZC File #1246-10**
Item tabled-public hearing continued.
- c. **New Special Permit Application, 54 residential apartments, 73 Meadowbrook Lane, Whispering Glen-Lakeway Farms, L.P., owner/applicant: PZC File #1284-2**
Item tabled-10/15/12 public hearing scheduled.
- d. **Subdivision Pre-Application: North Windham Road, PZC File #1311**
Linda Painter, Director of Planning and Development summarized her memo and discussed the Open Space Preservation Committee's suggestions for open space. Rob Hellstrom, representing the applicant, stated that they want to do what is best and have no objection to the recommendation of the OSPC. Rawn and Goodwin felt the OSPC report was thorough and helpful and they like its proposal. Holt was not in favor of the OSPC proposal and likes the idea of having woods and a field. Hellstrom stated that the house and all structures on the property are not salvageable and he will explore the OSPC recommendations with the owner.
- e. **Draft Connecticut Conservation and Development Policies Plan (2013-2018)**
Linda Painter, Director of Planning and Development provided an overview of the proposed locational guide map for the 2013-2018 Connecticut Conservation and Development Policies Plan and identified areas of

concern based on the methodology used to identify Priority Development Areas (PDA) and Priority Conservation Areas (PCA). Holt requested that PZC comments to the Office of Policy and Management include changes to the map to remove the PDA designation in key locations such as Horsebarn Hill, along Route 195/Storrs Road, and Spring Manor Farm. Westa suggested that the east side of the Perkins Corner area be added to the PDA to be consistent with the town's Plan of Conservation and Development. Painter will draft letter to OPM for the Chair's signature identifying concerns with methodology and include a map with areas to be removed or added from the Priority Development Area designation.

f. Other

New Business:

a. Eastbrook Mall Modification Request, PZC File #1307

Item tabled at the request of the applicant.

b. Special Permit Application, Seasonal Aerial Forest Ropes Course, west of Baxter Road on Storrs Road; Kueffner/Stoddard, owner/applicant: PZC File #1313

Holt MOVED, Ryan seconded, to receive the Special Permit application (file #1313) submitted by Christopher Kueffner and Lynn Stoddard for a Seasonal Aerial Forest Ropes Course on property located at West of Baxter Road on Storrs Road as shown on plans dated 9-25-12 as shown and described in application submissions, and to refer said application to staff and committees, for review and comments and to set a Public Hearing for 11-5-12. MOTION PASSED UNANIMOUSLY.

c. Live Music Permit Renewals

Ryan MOVED, Holt seconded, that the PZC schedule a public hearing for November 5, 2012 to hear applications for the renewal of Special Permits for the use of Live Music and also extend the current permit period until November 20, 2012. MOTION PASSED UNANIMOUSLY.

d. E.O. Smith Lighting Request

Ryan MOVED, Holt seconded, that the Planning and Zoning Commission hereby authorizes the use of temporary lights by E.O. Smith High School for one evening football game each year pursuant to the details provided in the letter from Superintendent Bruce Silva dated September 25, 2012. MOTION PASSED UNANIMOUSLY.

e. Appointment of Rudy Favretti to Design Review Panel

Holt MOVED, Ward seconded, to appoint Rudy J. Favretti as a member of the Design Review Panel to fill an unexpired term until August 1, 2013. MOTION PASSED UNANIMOUSLY.

Communications and Bills: A field trip was scheduled for Wednesday, October 10, 2012.

Adjournment: The meeting was adjourned at 10:53 p.m. by the chairman.

Respectfully submitted,

Katherine Holt, Secretary

DRAFT MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION
INLAND WETLANDS AGENCY
CONSERVATION COMMISSION
FIELD TRIP
Special Meeting
Wednesday, October 10, 2012

Members present: J. Goodwin, B. Chandy, K. Holt, G. Lewis, A. Marcellino, B. Ryan, V. Ward,
S. Westa

Staff present: G. Meitzler, Wetlands Agent/Assistant Town Engineer
C. Hirsch, Zoning Agent

The field trip began at 3:30 p.m.

1. Kueffner/Stoddard – Storrs Road -Seasonal Aerial Ropes Course-W1504, PZC File #1313
Members were met on site by property owner Lynn Stoddard. Members observed current conditions, and site characteristics. No decisions were made.

The field trip ended at approximately 4:20 p.m.

Respectfully submitted,

K. Holt, Secretary

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Linda M. Painter

From: Macon Toledano <mtoledano@leylandalliance.com>
Sent: Thursday, October 11, 2012 2:29 PM
To: Linda M. Painter
Cc: Howard Kaufman; Cynthia A. vanZelm; Geoff Fitzgerald
Subject: FW: Storrs Center - Market Square Images
Attachments: Site.pdf; View 1a.pdf; View 1b.pdf; View 2a.pdf; View 2b.pdf; View 3a.pdf; View 3b.pdf

Linda,

As discussed, please find attached a site plan with a new landscaping feature and perimeter wall layout shown on the southeast corner of the proposed surface parking lot. The perimeter wall has been moved inwards to create a landscaping zone surrounding the corner wall as seen from Post Office Road and the adjacent properties. In addition we have developed a concept for the wall section at this corner of the parking lot which includes, at the level of the parking surface, a two and half foot continuation of the block wall with a five and a half foot opaque fence on top for a total of eight feet as seen from within the parking lot. The intent of the wall and the landscaping is to buffer and enhance the view from Post Office Road. Note that three vistas are identified on the plan.

The first is from eye height at ground level at the designated location.

The second is at 15 feet above grade at the designated location, as if to correspond with a second story vista. The third is also at 15 feet above grade at the designated location but, as indicated, further down Post Office Road. Note that landscaping along Post Office Road and next to the Post Office is not shown so that the view of the wall and parking lot is clearly visible for explanation purposes. Each vista includes one version without the landscaping so that you can clearly see the wall concept and one vista with the landscaping that would grow in over time. We have shared these conceptual images with some of the neighbors in our effort to better understand and respond to their concerns.

We will forward sections shortly. Please do not hesitate to contact me if the above explanation is not clear or if you have additional questions.

If possible, we would appreciate the opportunity to briefly explain these images at the hearing in a format, either PowerPoint or boards, that would be acceptable to you and the commission.

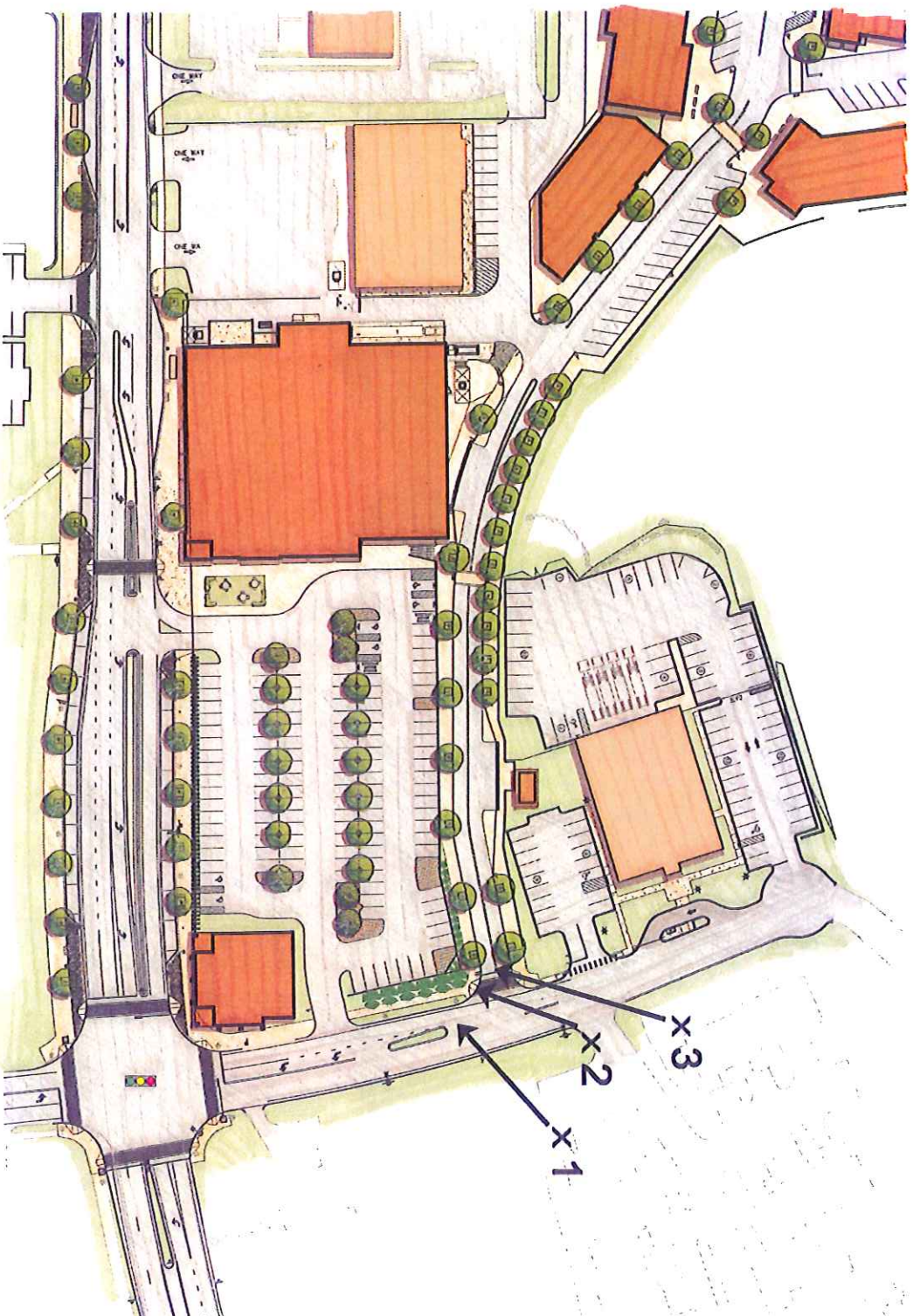
Thank you,
Macon

Macon C. Toledano

Senior Vice President, Planning and Development LeylandAlliance LLC P.O. Box 878 - 233 Route 17 Tuxedo Park, NY 10987 office 845.351.2900 cell 845.649.1490

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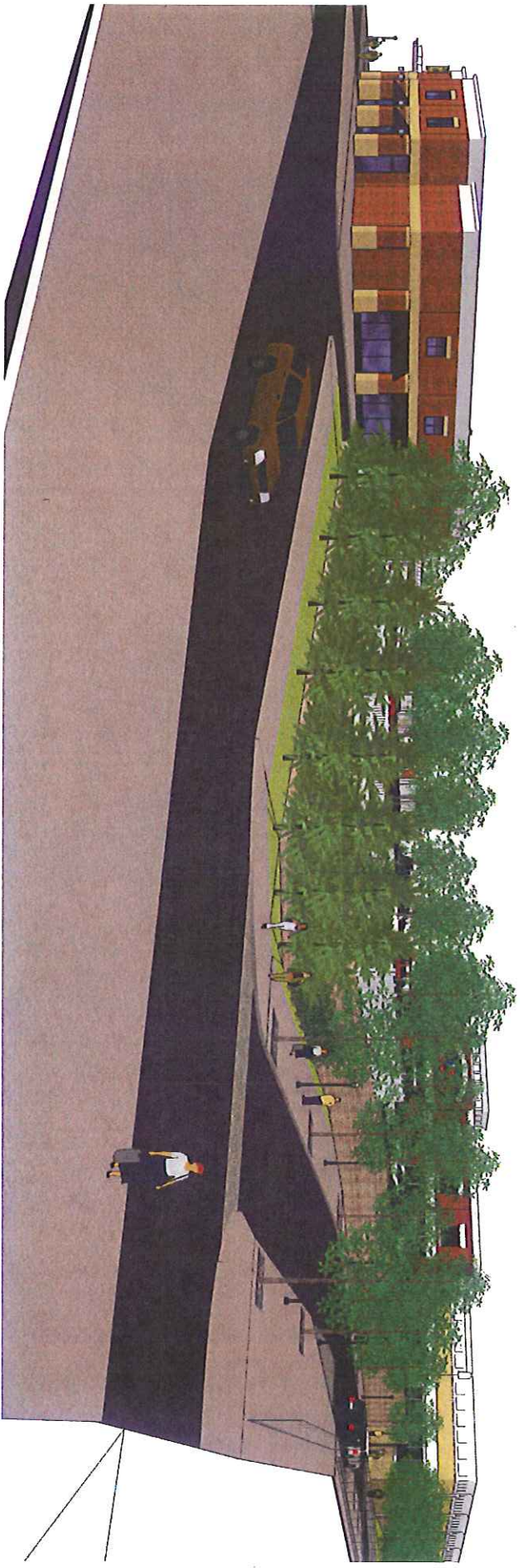
Site Plan



Market Square • Storrs Road, Mansfield, CT • October 10, 2012

Dr. Phyllis R. Loomis, M.S.

View 1



Market Square • Storrs Road, Mansfield, CT • October 10, 2012

BL Project # 100067-24

View 1



Market Square • Storrs Road, Mansfield, CT • October 10, 2012

By: Project # 000007-X

View 2



Market Square • Storrs Road, Mansfield, CT • October 10, 2012

3D Rendered in 3ds Max

View 2



Market Square • Storrs Road, Mansfield, CT • October 10, 2012

By: Project & Design X

View 3



Market Square • Storrs Road, Mansfield, CT • October 10, 2012

BL Project # 00087-X

View 3



Market Square • Storrs Road, Mansfield, CT • October 10, 2012

BL Project # 00007-1X

Linda M. Painter

From: Macon Toledano <mtoledano@leylandalliance.com>
Sent: Thursday, October 11, 2012 3:51 PM
To: Linda M. Painter
Cc: Howard Kaufman; Cynthia A. vanZelm; Geoff Fitzgerald
Subject: FW: Phase 4 / Village Street Cross Sections
Attachments: XC03C667X02-SectionA-A(6sc).pdf; XC03C667X02-SectionB-B(6sc).pdf; XC03C667X02-SectionC-C(6sc).pdf; XC03C667X02-Plan(30sc).pdf

Linda,

Pursuant to my previous e-mail, please find attached a partial site plan accompanied by three sections along the perimeter wall surrounding the proposed surface parking lot in Phase 4/Market Square. The location of the three sections is identified on the partial site plan. Two are located along the Village Street and one along Post Office Road. The two along Village Street demonstrate how the section can change at the corner to include the new concept for landscaping and an 8' wall at the southeast corner and to create some variety along the length of the Village Street. The section along Post Office Road also shows the new concept for landscaping and the 8' wall but, due to the rising elevation of Post Office Road, the overall height of the perimeter wall as seen from Post Office Road is substantially reduced. These sections correspond with the vistas that were previously sent.

Please do not hesitate to contact us with any questions.

Thank you,
Macon

Macon C. Toledano
Senior Vice President, Planning and Development
LeylandAlliance LLC
P.O. Box 878 - 233 Route 17
Tuxedo Park, NY 10987
office 845.351.2900
cell 845.649.1490

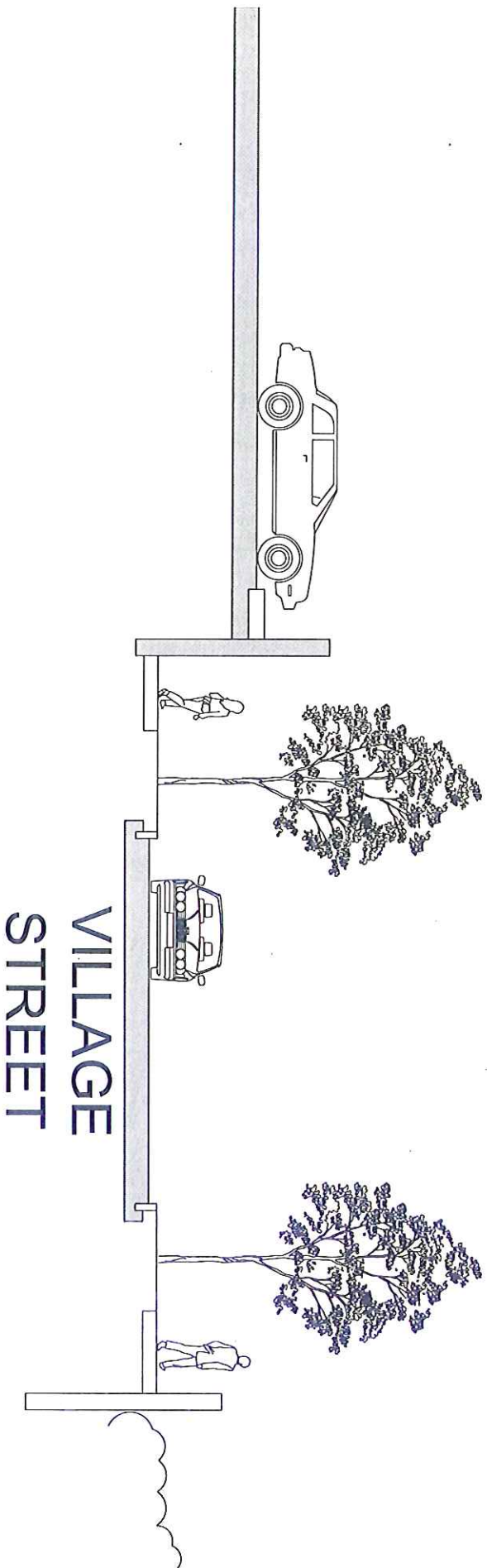
From: Fitzgerald, Geoff [mailto:Gfitzgerald@blcompanies.com]
Sent: Thursday, October 11, 2012 3:32 PM
To: Macon Toledano
Subject: FW: Phase 4 / Village Street Cross Sections

FYI – forgot to copy you.

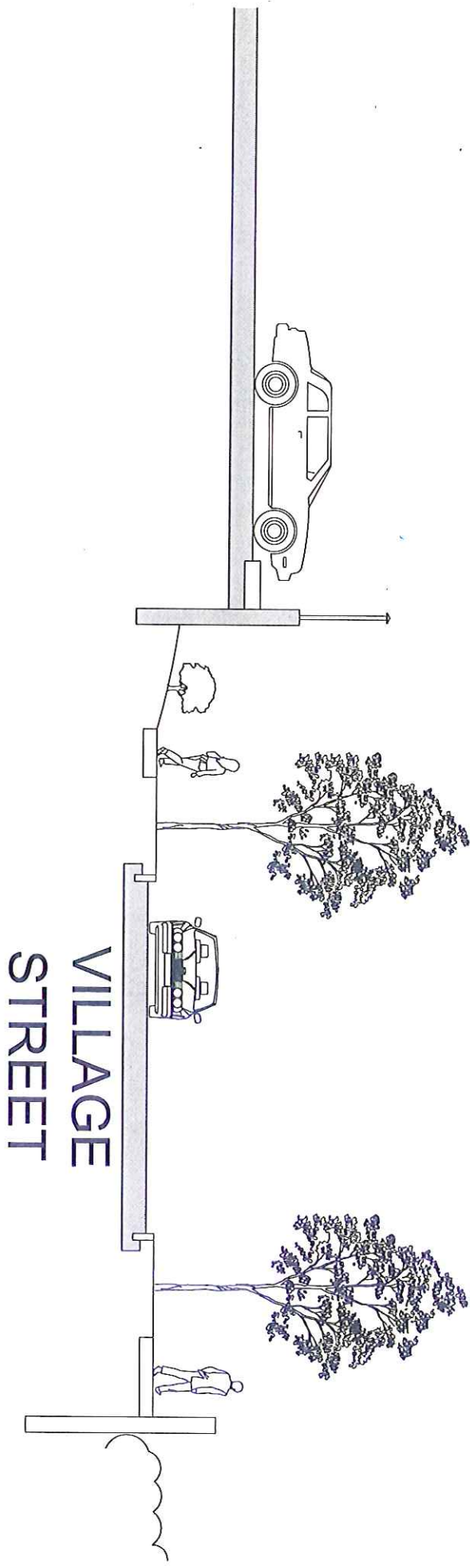
From: Fitzgerald, Geoff
Sent: Thursday, October 11, 2012 3:31 PM
To: Linda M. Painter
Subject: FW: Phase 4 / Village Street Cross Sections

Hi Linda,

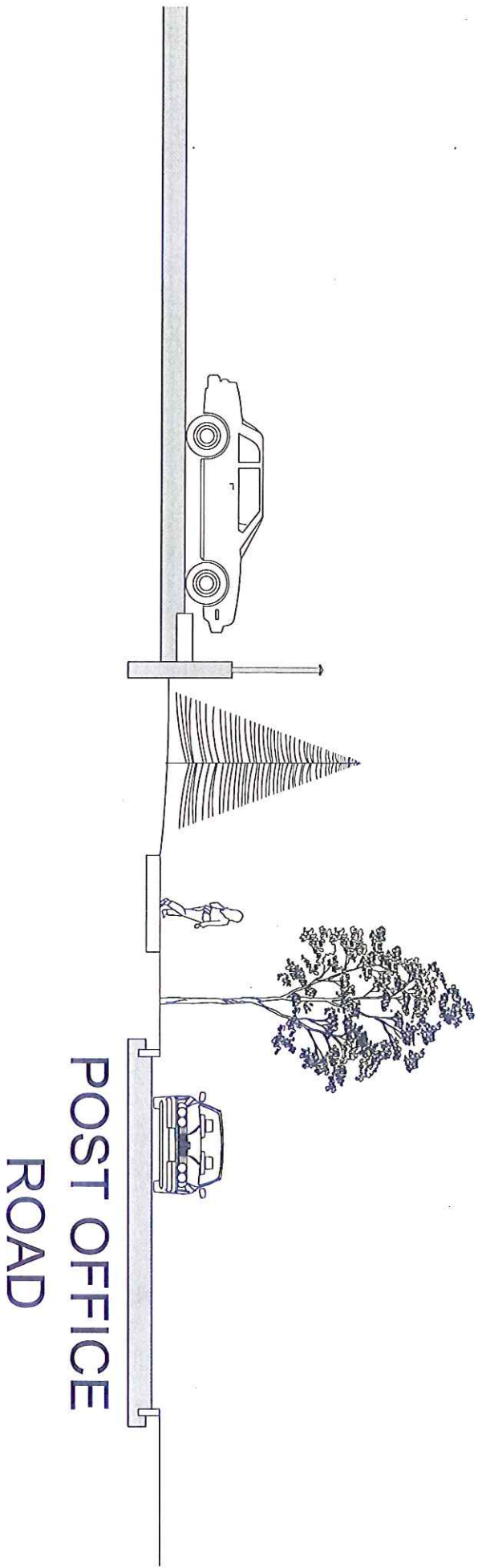




SECTION 'A' - 'A'



SECTION 'B' - 'B'



SECTION 'C'- 'C'

Jessie Neborsky

From: Geraldine Jones <gkjones@snet.net>
Sent: Tuesday, October 09, 2012 8:38 AM
To: PlanZoneDept
Cc: SherryHilding@sbcglobal.net; gkjones@snet.net
Subject: Let ter of Sept. 30 regarding proposed parking lot and Price Chopper

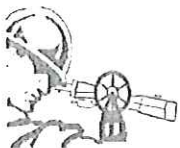
My name is Geraldine Jones and I live at 102 Courtyard Lane directly across from where all the action is planned. I thoroughly agree with Ms. Hilding that the concerns and welfare of the condominium residents be thoroughly thought through as to how this will affect their lifestyle. It will be like living on "Broadway". While I have no objection to what is planned, just put yourself in their shoes and in their homes and think about how you would feel if you were faced with this situation. I think the ideas of buffers is a good idea and I have seen it used at many malls to nullify the sounds and lights and it has worked well. I hope that you will reject this proposal and send them back to the drawing board for a more acceptable one. It reminds me of the housing developers who buy lands around farms. They build houses, sell them and then suddenly the people start complaining about the farm--it smells, they have cows, etc. and they want to put the farmer out of business. The smell was there when they bought their houses and so was the farmer for many years but they do not think about that. So please give this serious thought before you make any decisions.

Sincerely your,

Geraldine Jones
102 Courtyard Lane
Storrs, CT 06268-2285

Ref. Ms. Sherry Hildings letter of September 30, 2012

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HEALEY & ASSOCIATES, LLC

P.O. Box 557, Mansfield Center, CT 06250 Ph: 860-456-4500

Date: October 11, 2012

Ms. Jo Ann Goodwin, Chair
Planning and Zoning Commission
Audrey P Beck Municipal Building
4 South Eagleville Road
Mansfield, CT 06268

Re: The Common Fields Application

Dear Commission Members:

Due to the questions stated at the October 1, 2012 Public Hearing of The Common Fields Special Permit Application, we are proactively seeking the following information:

Formal Sound Study: The study will be conducted on October 13, 2012. The analysis and report will be received shortly thereafter.

Landscape Architecture: Meeting with Landscape Architect on October 12, 2012 to discuss the design, design alternatives and to add additional buffers to visually enhance the property while providing functional screenings.

Operations plan: In order to address the apparent misconceptions articulated by public comment, a detailed operation plan is being drafted to clearly state proposed business operations and management for proposed events at The Common Fields.

Unfortunately all of the information will not be ready by the October 15, 2012 meeting. I would like to open the hearing to include a status update and receive additional input from the general public. We would like to keep the hearing open to have time to address the public comments, submit the reports and design modifications in time for the following hearing.

Respectfully submitted,

Michael C. Healey, PLS

Owner Applicant

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TOWN OF WINDHAM WATER WORKS

174 Storrs Road
Mansfield Center, CT 06250
Tel. 860-465-3075 • FAX 860-465-3085

- ☐ Inland Wetlands Commission
- ☐ Zoning Commission
- ☒ Planning & Zoning Commission
- ☐ Zoning Boards of Appeals

TOWN: ☐ Ashford ☐ Chaplin ☐ Eastford
 ☐ Hampton ☒ Mansfield ☐ Pomfret
 ☐ Union ☐ Willington ☐ Windham
 ☐ Woodstock

INSPECTED BY:


Troy Quick *W.W.W. Watershed Inspector*

DATE:

October 9, 2012 WW file #M0312

The Windham Water Works has received notification of a proposed project per the requirements of Public Act 89-301.

PROJECT DESCRIPTION:

Building conversion: Barn to banquet hall

Applicant: Michael C. Healey

COMMENTS:

The Windham Water Works has reviewed the proposed project and with best management practices and with proper soil and erosion control measures throughout the duration, we would have no objections, we will monitor accordingly.

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SHARRY L. GOLDMAN

187 Browns Road
Storrs, CT 06268
bgoldman@snet.net

October 2, 2012

To the Mansfield Planning and Zoning Commission:

I would like make two comments on the proposal to build a banquet hall in Mansfield Center presented to the commission by Mr. Healey at your meeting on October 1, 2012.

First, I am perplexed as to how the Eaton Commonfields could be used as a parking lot. That land was the most expensive (on a per acre basis) acquisition of open space for the town of Mansfield in the ten years beginning 1/1/90, and the most expensive in sales price for the same term. (See chart below). I believe that its purchase reflected the strong public desire to protect that area. It was not explained at the hearing last night by town staff or by Mr. Healey if there is a process by which a private landowner could gain permission to use public open space land for commercial purposes. I hope the commission can tell me how to find out if that process exists and who would administer the private use of public lands. While I hope to learn more about permitting use of public open space, in the meantime, I'd like to state that I can't imagine at this time a situation that would justify the use of Eaton Commonfields land for private commercial purposes.

In addition, I'd like to comment on Mr. Healey's statement that traffic to and from his venue would be "off-peak." While I agree that his traffic would be off-peak from the Monday through Friday business peak, it would be on-peak for impaired driving times, which are well known to public safety officials and insurance providers. At the location where the proposed banquet facility would be operating, I have some specific concerns. As the University continues to admit more students with no housing for them, student party houses are spreading out from Storrs. We now have a student party house on Browns Road, and if plans proceed for another vacant residence, there will be a second party house very soon. Browns Road ends at Route 195 near the junction of Route 89 just 700 yards from Mr. Healey's property. Taking a left turn from Browns Road onto Route 195 has become very difficult as UConn traffic expands. It is complicated by the right turn on red allowed for northbound traffic from Route 89, and the problem that few people seem actually stop before turning there. In addition, I am not aware of any traffic enforcement on Browns Road. Thus, drivers do not obey speed limits or stop at stop signs. Mr. Healey's venue will produce additional impaired drivers who will be navigating that intersection. All of these drivers are detrimental to public safety. In the Storrs and Four Corners areas, public transportation including safe rides and bus shuttles are available, but during the hours Mr. Healey wants to operate his banquet hall, there are no busses or shuttles running.

I attended the hearing on October 1 in memory of my cousin, Jennifer Beecher, who was killed in a crash by a drunk driver in June, 1977 in Massachusetts. The driver had been drinking at a graduation party before the crash. It was the very sort of gathering Mr. Healey would like to provide. I strongly urge public officials to be mindful of the dangers of drunk driving when they make permitting decisions. I volunteer for an organization that serves bereaved families in Mansfield. Each year in this town parents lose children and children lose parents to drunk driving crashes. Please do not add to the problem.

Thank you for your attention,

Sharry Goldman

Town of Mansfield Open Space Acquisitions* (1/1/90-10/1/09)

Property	Acres	Sale Price	Price/Acre	Frontage	Date Acq	Property Description
Reed (Shelter Falls Park)	30	\$120,000	\$4,000	710' Hunting Lodge Road	03/05/90	RAR -40, abuts Town lands, borders Highbrook subdivision, limited wetlands, purchased in association with State/Federal Grant Program
White Cedar Swamp	30.3	\$50,000	\$1,650	25' Mansfield City Road 150' White Oak Road	12/17/92	RAR -40 Flood Hazard, major portion of the swamp and adjacent woods, access from Maple and Mansfield City Roads, rare cedar swamp, purchase price based on approved subdivision lot
Reed/SBM (Shelter Falls Park)	23.7	\$69,000	\$2,911	171' Hunting Lodge Road	03/09/93	RAR -40 / MF, 10.8 acres of wetlands, abuts Town land (Shelter Falls Park)
McGregor	2.1	\$8,400	\$4,000	207' Stone Mill Road	06/03/93	RAR -90 Flood Hazard, rear portion of existing house lot which borders the Fenton River, near Gurleyville Grist Mill contains a portion of the Nipmuck Trail
Porter	6.7	\$119,400 (net price after house sale)	\$17,820	1,090' Storrs Road	10/6/93	RAR-20 at purchase, 1.3 A w/existing house subsequently sold for \$110,000, Town acreage borders Willimantic Res., mostly open field, some woods
Eaton (Commonfields)	8.6	\$160,000	\$18,604	312' Storrs Road 303' Bassetts Bridge Road	12/21/93	RAR-40 and Neighborhood Business at purchase, includes portions of Eaton Bog, within Historic Village area, Parcel One 3.6 A, Parcel Two 5.0 A, a portion of the land is within an aquifer area
Watts (Eagleville Preserve)	23.5	\$90,600	\$3,855	300' Stafford Road	3/1/95	RAR-40 & Flood Hazard, area to be used as community gardens, rear area prime farmland, leased to farmer 1,500' of river frontage, 50' strip for access to railroad crossing, adjacent to State land linking site with Eagleville Dam park
Boettiger/Orr Parrish (Dunhamtown Forest)	106	\$99,000	\$934	50' Dunham Pond Road	8/3/95	RAR-40, primarily wooded/sloping, many options to connect to other Town trails, parks and easements, includes some wetlands. Deed restrictions limit future use.
Bodwell (Old Spring Hill Field)	6.5	\$42,000	\$6,461	960' Spring Hill Road	4/18/96	RAR-40, land adj. to Mansfield Middle School, valuable buffer, abandoned field, certain areas wetlands, purchase price based on approved subdiv. lot

Jessie Neborsky

Subject: Response to special permit #1312- proposed assembly/banquet hall in Mansfield Center

To the members of the Mansfield Planning and Zoning Commission:

I am writing to express opposition to the proposed development of a large assembly/banquet facility in the old Eaton farm barn with overflow parking on town property adjacent to the barn. I have strong reservations about this use of this site for the following reasons:

- this barn is part of a property in the very historic heart of Mansfield Center, and, as such, any proposal for its use should be carefully explored, with ample opportunity for input from Mansfield residents; its use should be in harmony with the rural, historic, quiet character of this part of town
- there are currently 2 existing facilities for banquet use available on the market in Storrs (i.e. Zenny's and the old Rosal's/Two Steps facilities)
- there are 2 barn facilities for banquet use in Mansfield Center (i.e. Holiday Hill and The Gardens at Bassetts Bridge Farm), and there is the Nathan Hale Inn and Conference Center in Storrs.
- the environment around the proposed site includes a rare type of bog and the very historic gravestones in the old Mansfield Center Cemetery, any of which could be irreparably damaged from the potential foot traffic at such a facility
- the noise factor, which is often associated with the loud music and voices emanating from this type of facility, especially in the stillness of evening hours, could be very unpleasant to neighbors trying to sleep

I also have the following questions for the PZC to consider:

- Why was there not more notice given about this proposal so that interested/concerned townspeople could attend and speak at the Oct. 1st meeting?
- What are the proposed "associated uses" referred to in the application? These should be clearly specified.
- How can one individual profit from the use of town property (i.e. the adjacent overflow parking site) that all Mansfield residents support with their taxes?

For all of the above reasons, I question the wisdom of approving this type of development in this particular location in Mansfield and sincerely hope the application will be denied.

Thank you.

Pamela D. Bridgeford
112 Bassetts Bridge Rd.
Mansfield Center, Ct 06250

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October 12, 2012

Attention: Mansfield Planning and Zoning Commission
Town of Mansfield, Connecticut

Re: Banquet Hall, Mansfield Center

As a member of the Mansfield Historic Commission (although I am not acting on behalf of the Commission) I wish to go on record as opposing the proposed banquet hall in Mansfield Center. I feel it is entirely contrary to the character of the village. It would be in opposition to the quaintness we have tried to maintain for the village. The amount of traffic, noise and disruption to the land surrounding the old and beautiful barn building proposed for the banquet hall would destroy the village atmosphere. Parking would mean more hard surfaces surrounding the building and more oil run off toward the land behind the building that is an aquifer. The amount of beer bottles, confetti, streamers, noise makers, discarded cigarette and cigar butts that would build up around the premises and along the highway would create pollution and be a visual disgrace.

Also, the proposed addition to the old farm house for more office space would render the building completely out of character with an old historic structure and, even though it is not in the Historic District, it is too close to the existing Historic District to be converted into a modern office building by an uncharacteristic addition tacked on to its rear side. Presently, and ever since the building was opened for office use, a sign has been prominently displayed on the front wall advertising office space to rent. Besides the economy, it would appear that attracting tenants for office space in Mansfield Center is not an easy thing to do. Even with economic recovery there is no guarantee that office space in Mansfield Center is the most desirable, particularly with a proposed technological park in the Storrs area.

Since the Town of Mansfield has repeatedly had hard times controlling partying in and around the University of Connecticut, I think it is very unwise to add to those particular woes that would result in spreading our police force very thin and eventually causing the need for more man power.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "H. Carter Brown", written in dark ink over a horizontal line.

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To: Town of Mansfield Planning and Zoning Commission 10/11/12

The area at 476 Storrs Road under consideration for development is one of the most historically significant sections of the Town of Mansfield. Originally it was part of several 1685 first drawn division homelots. It was settled on by Storrs family member, Samuel Storrs and his son, Samuel, Jr., who were among the early proprietors of the town. A grandson, Huckins Storrs, later built the present house, circa 1753, undoubtedly on the site of a much earlier Storrs house. The property then became the home of Huckins' son, Colonel Experience Storrs. It is therefore one of the most historic houses in Mansfield.

In the 1980's, several of us were allowed to tour the house. We noted that in spite of the appearance and condition it still had numerous early structural features. It lacks a ridge pole in the attic; the roof boards are very wide with hewn beams with visible mark cuts of water powered saws. The cellar revealed the house originally had a huge center chimney and a very early cellar door. It would be tragic to tamper with its roof line as proposed.

Colonel Experience Storrs is one of Mansfield's outstanding revolutionary figures. He was second in command of the Connecticut Regiment under Israel Putnam. Aside from his military accomplishments, he was one of Mansfield's political and social leaders of the period. It is noteworthy that his house at 476 Storrs Road and farm acreage has remained and enhanced this beautiful historic vista of early Mansfield.

When Mr. Healey started repairing and renovating the exterior of the house, I called and congratulated him for undertaking this after years of neglect by previous owners. He told me he intended to eventually also repair the barn, but not of his intent to expand it into such a business enterprise. The alterations that he now proposes to a house of such historical significance I consider a very serious mistake.

Because of my interest and attempt to expand my knowledge of early Mansfield, I have recently been working on title searches of former and present houses and structures in this south section of Mansfield Center. I assure you it was originally as attractive, perhaps even more so, than the northern section of the village. Later photographs support these comments.

There have been many losses here and elsewhere in Mansfield where houses and structures have burned, been torn down or otherwise destroyed. We have had much loss to our historic village already. I am determined to preserve the knowledge and early history of Mansfield so it will not be forgotten or unknown. Indeed, Mansfield has a fascinating and outstanding historical history; it needs our attention and demands our protection.

Notably, towns such as Lebanon, Connecticut, have wisely preserved their historic town structures and landscapes and taken steps to protect their farmland to their utmost advantage. Are we in Mansfield to be known for developing in the wrong way? What a sad legacy for our children and future citizens!

May I emphasize I am not opposed to development, but certainly there are more suitable places for a business development such as this one. An historic area is not one of them. The "Commonfields" as it was first called was of great importance to the first settlers. It needs preservation as a part of Mansfield's rich heritage.

The old Mansfield Center cemetery is the oldest in Tolland County and was placed on the National Register of Historic Places. I wish to emphasize that it is Mansfield's oldest remaining visible landmark. This cemetery needs our protection as an important historic treasure. It contains outstanding examples of gravestone carvers and their unique sculptured folk art work. These burial records are part of our earliest town history.

People from all over the United States visit this important cemetery. However, many of the gravestones are becoming fragile and desperately need closer attention, protection and preservation. The Town of Mansfield had the foresight to purchase the open field next to the cemetery, as well as a section of the area known as the "Commonfields." May these areas ever remain as open space fields. The business proposed for famed Colonel Experience Storrs beautiful farm is not appropriate. What an outrageous tribute this would convey to one who served his town and developing country so well.

The house and the cemetery with this open field between them and farmland, with the bog behind them, are one of the most beautiful original landscape vistas we have left in Mansfield. I am shocked that such a proposal with so many Special Permits would reach this point without more community awareness and involvement.

Roberta K. Smith
Mansfield Town Historian

I am deeply troubled
that I cannot attend
the P+Z meeting on
Oct 15th, so that
all present might hear
my voice on this matter.

Roberta K. Smith

I write this in protest of the proposed banquet hall at the site of the old barn on Rt 195 in Mansfield Center. The tone and neighborhood feeling would be irreparably damaged by this change. It is not a business that operates during the day only; it would also hugely impact the families living around it during its night activities.

Existing businesses such as the bed and breakfast just up the road, the Altneveigh, the Rome ball room and other venues could use the business and serve these needs.

Overflow parking that would occur on the field the town purchased to preserve the area — not to facilitate the alteration of a neighborhood that is home to an existing community.

The community does not need a new banquet hall, rather it needs to very carefully preserve and respect the existing character of the town. Once lost it can not be recovered. Quaint lamp posts and faux charm does not create neighborhood. It is the subtle rural grace that genuinely still exists here that the residents of this area appreciate.

Thank you —
Carol Favorita
P.O. Box 122
543 Storrs Rd.
Mansfield Center, CT 06250
860-456-8140

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From: Christina Luce Gordon, 552 Storrs Road, Mansfield Center, CT 06250
860-933-8281 (cell), e-mail: christingordon01@earthlink.net

To: Town of Mansfield Planning and Zoning Commission

October 10, 2012

We have a long history and love of Mansfield. I tell people that I live in the center of Mansfield Center because in colonial days the church was the center of town. Three of my ancestors helped found the First Church of Christ Congregational. My grandfather, Alfred Oden, was the postmaster and ran the General Store for about thirty years, roughly from 1898-1928. Back then, Storrs Road was a rural dirt road.

Our children are the eleventh generation in Mansfield and the fourth generation to live in our 1760 colonial home which is in the historic district and has been in our family for over a hundred years. My husband, Bill and I bought the family home in 1995 after my mother, Helen Oden Luce, passed away. Increasingly, we have had concerns about the traffic noise. We have sent several certified letters to the Town of Mansfield about the increasing noise pollution with no results.

On Thursday, Sept. 27th I was dismayed to discover a flyer left in our door outlining a proposed plan for an Assembly/Banquet hall less than half a mile away. Moreover, its proposed weekend business hours would be until *midnight* on Friday and Saturdays and *only* until 10:00 p.m. on Sunday. Apparently, only those within 500 feet had to be notified about this possible business venture.

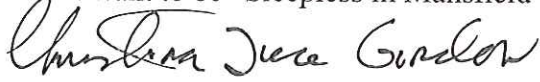
Traffic noise is already a major issue and it is unbelievable that the town would even consider a business that would impact the quality of life of nearby neighbors. Many cars exiting the proposed Banquet Hall will have to stop at the traffic light on Rtes. 195/89 which is closest to our front bedroom window. Perhaps their car windows may be down and their music up as they wait for the light and/or to accelerate or shift. More noise.

In addition, using Town of Mansfield land for any overflow parking is not how we want our tax dollars spent. Does Mr. Healey live near the proposed Assembly/Banquet hall and its resulting weekend traffic? Are there going to be formal studies on the increased noise and resulting traffic?

Certainly, our property value will decrease and enjoyment of our home will diminish. Our home's stone walls have been hit many times and usually we bear this cost. In fact, a late night drunk driver hit the front door in 2009 causing significant damage.

We urge the Planning and Zoning Commission to consider town residents who have been very supportive of Mansfield's historic character. Many have given land to the Town of Mansfield to expand and preserve its rural open spaces. Quiet rural open spaces. Mansfield's unique environment is under siege. Mr. Healey's commercial proposal would have a negative impact on the surrounding environment. The proposed business application Assembly/Banquet Hall should be denied.

We don't want to be "Sleepless in Mansfield" year-round *every* weekend.

A handwritten signature in black ink, reading "Christina Luce Gordon". The signature is written in a cursive, flowing style.

Christina Luce Gordon and Family



Wm. B. & Christina Gordon
552 Storrs Rd.
Mansfield Center, CT 06250
860.423.9650
christingordon01@earthlink.net

Mansfield Planning and Zoning Commission
Audrey P. Beck Municipal Building
4 South Eagleville Road
Mansfield, CT 06268

10 October 2012

Attn: Jo Ann Goodwin, Chair
Re: Mr. Healey's application for an Assembly/Banquet Hall and various
Commonfields Special Permits

Dear Chairman Goodwin and Planning & Zoning Commission members:

Thank you for the opportunity to share my concern regarding the proposed Common Fields Special Permit Application. In my review of the drawings, I find issue with several aspects of the proposed concept.

Architecturally, the proposed raised roof of the historic home will increase the distance between the top of the window and the roof eave. An increased dimension in this area is out of character for an 18th century house, resulting in an exterior elevation typical of a recently constructed home. Furthermore, the planned addition to the north side of the house will further change the exterior character of this historic home.

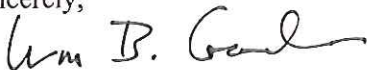
The barn modifications illustrate a handsome structure, however, I question if the design is structurally sound. Based on personal experience I find it difficult to obtain the required live load capacity for a restaurant use with wood framing. Although it may be possible, does the design reflect what in fact will be built?

Moreover, the request for reducing the site setback lines and the use of the adjacent Town owned land for parking will not be to the benefit of the community and should be denied.

I feel this property is unique because of its history. It is an honored part of Mansfield's history. For this reason alone, the building's architecture should be protected. The property should not be altered to meet the optimum return of an investment.

If allowed, this project will have detrimental effects on the neighborhood's historic character.

Sincerely,



Wm. B. Gordon, AIA

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TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT

LINDA M. PAINTER, AICP, DIRECTOR

Memo to: Mansfield Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development
Date: October 11, 2012
Re: Modification to Eastbrook Mall Special Permit, File #1307



This memo was prepared as a supplement to my September 27, 2012 report. At the time of that memo, the applicant was in negotiation with the adjacent property owner to acquire a grading easement that would eliminate the need for a significant portion of the gravity retaining wall along the north property line. However, the applicant and adjacent owner have been unable to reach agreement on the grading easement and as such, the applicant has withdrawn the request for the modification to use a planted and irrigated slope in that area.

The applicant is still requesting approval to change the brand of retaining wall from Evergreen to SmartSlope. The proposed retaining wall brand uses smaller planting boxes which allow for a more natural curve. Images of both brands are attached for your information. A corrected description of the modification request is also attached.

Recommendation

If the Commission agrees, the following motion would be in order:

That the Planning and Zoning Commission hereby approves the modification to Special Permit 1307 as described in the application dated 8/17/2012 and updated on October 5, 2012 to allow the use of a SmartSlope living retaining wall for the gravity retaining wall system. .

Item #6 of Modification to Approved Plan

The contractor has submitted an alternate retaining wall from the one submitted to the commissions in our approved permits. The wall submitted was the Evergreen Wall as designed and manufactured by United Concrete Products.

The approved wall was chosen in the design phase because it was one of the only gravity retaining walls that could be planted. The engineer had used this product successfully on other projects in the northeast. Due to site constraints the project needed to use a gravity retaining wall. It is more cost effective to use a Concrete Masonry Unit (CMU) wall, but for this installation a standard CMU wall would have required temporary excavation beyond the property line. A gravity retaining wall, as specified, does not require any over-excavation beyond the property line. All work on the approved wall would be within the parcel.

This gravity wall was approved by the commissions for the following reasons

- The commission was concerned about the "canyon appearance" a conventional CMU wall would have created.
- The commission thought a plant-able face wall would be more consistent with the regulations by increasing the buffer and softening the appearance.
- The ability to irrigate the wall allows the planted face to survive in the direct southern exposure.
- The wall would not require excavation beyond the property line.

The contractor has proposed an alternate wall that has smaller units and will be able to be installed with smoother curves so it will appear more natural. This wall is called the "Smart Slope" wall system. It is a bit of a highbred wall type that uses some of the structural advantages of the Gravity Wall and some of the installation advantages of the CMU wall. Attached to this transmittal are photographs and details for your information. We request the commission's approval of this wall system in lieu of the approved "Evergreen" wall system.

We have reviewed the documentation and note the following is either equivalent or superior to the "Evergreen" system.

- The system will create a smoother more rolling horizontal and vertical profile due to the smaller Unit size. This will create a more natural face with less continuous concrete face.
- The system can be designed to meet the structural requirements without cast in place footings, and does not require excavation beyond the property line.
- The smaller concrete units have less thermal mass and are more closely tied to the soils behind the wall such that heat dissipation into the root zone should be less and thus provide a better growing environment.

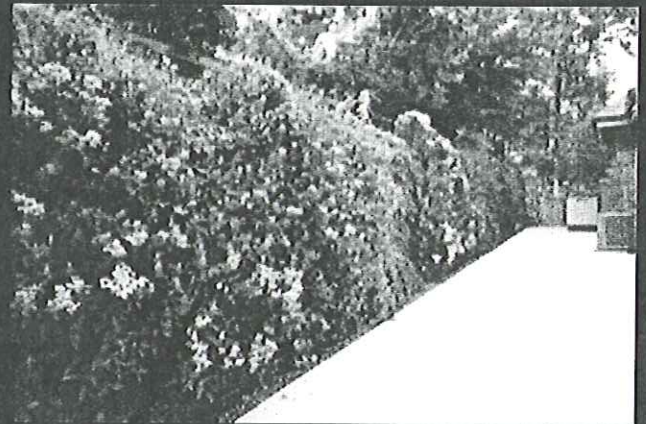
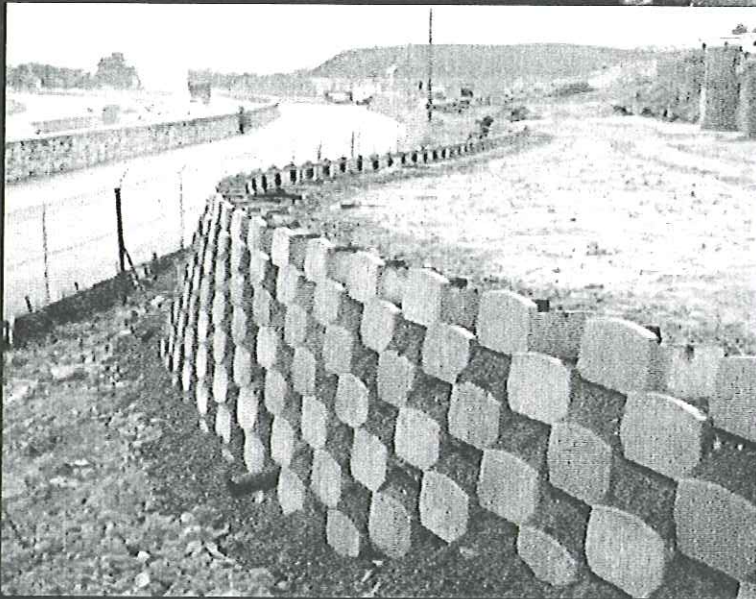
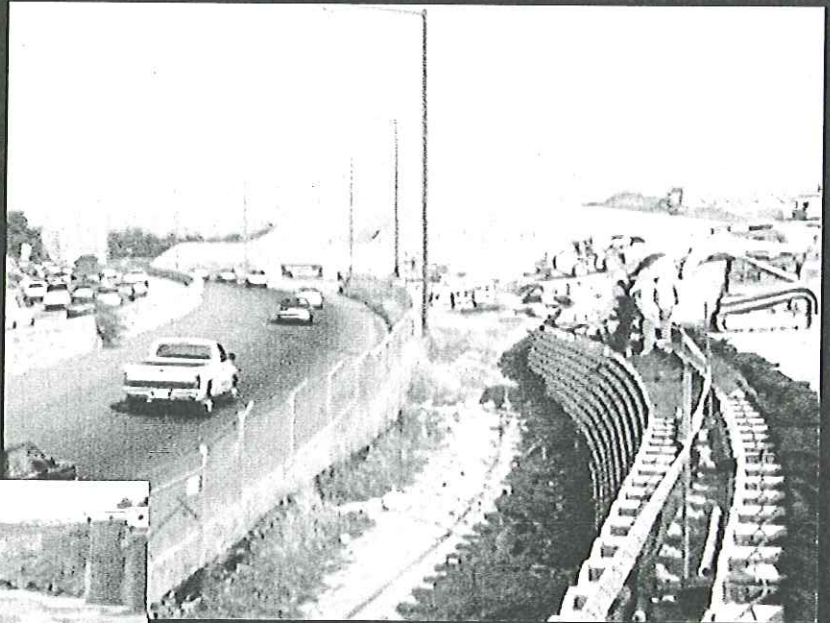
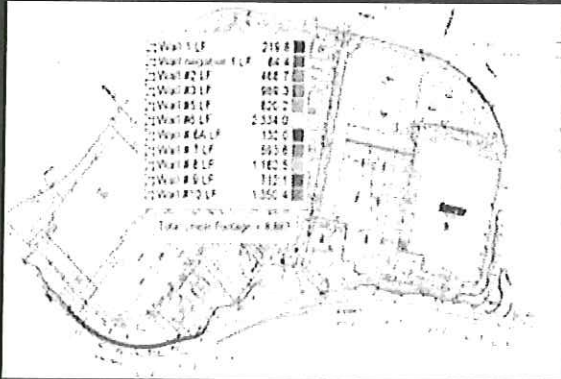
- The concrete units are actually designed with a saddle to support drip irrigation lines.
- The planting scheme presented can be maintained with the new wall type.

We see no loss of intent with supplying this alternative. Please review the attached data and let us know if this material can be used in lieu of the approved Evergreen Wall System.

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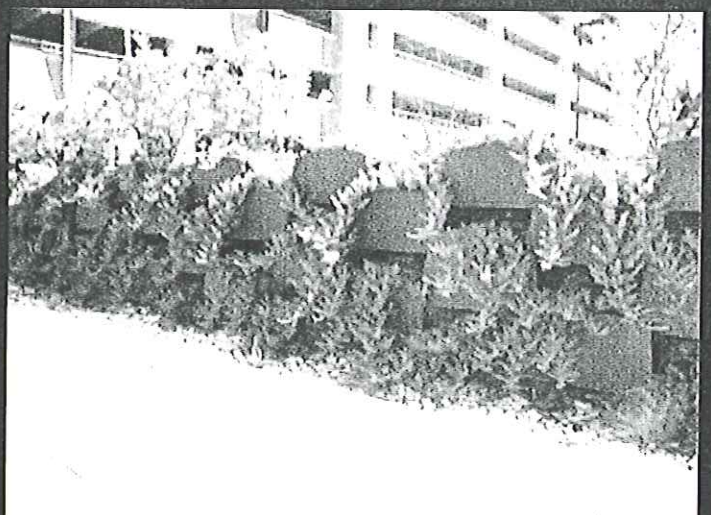


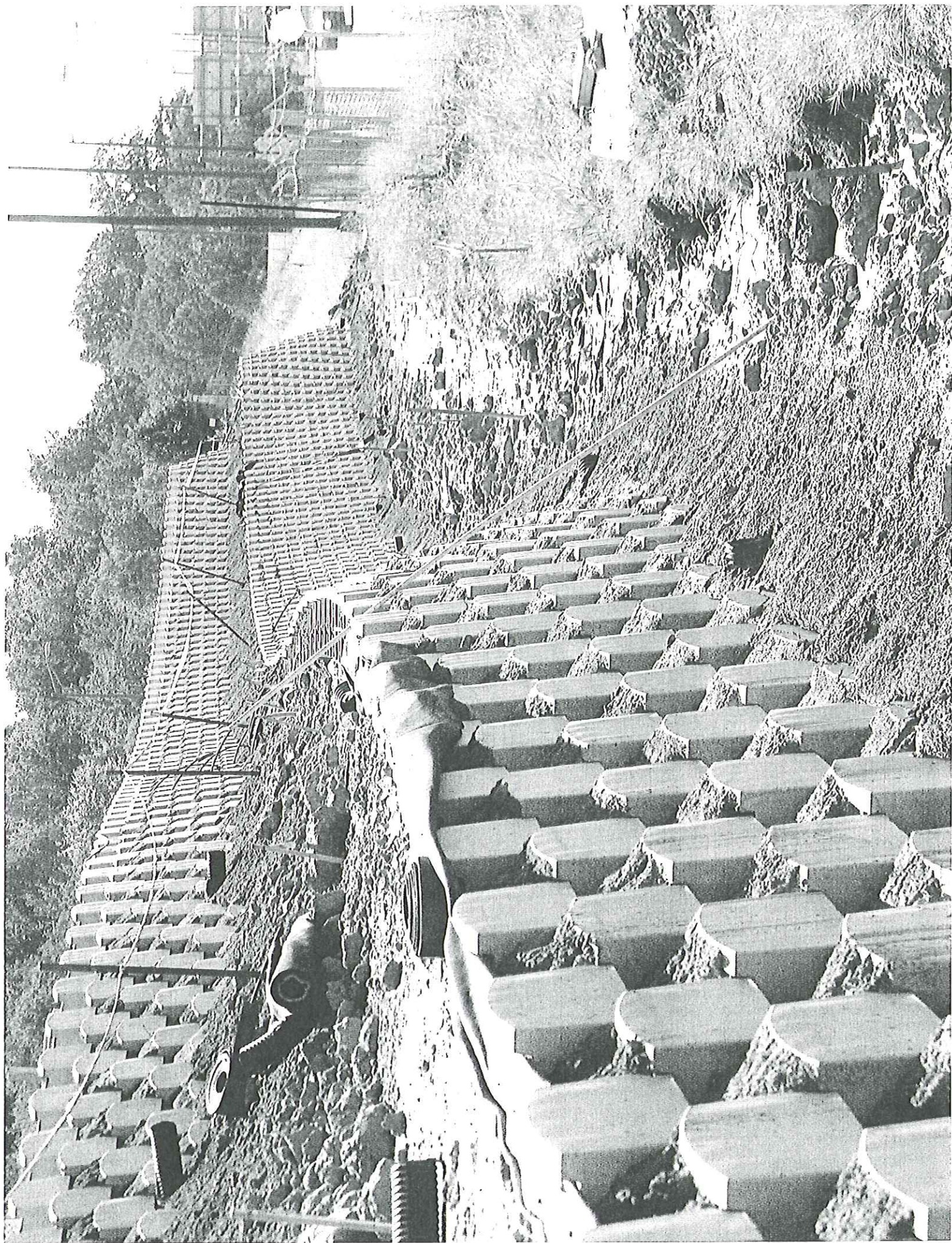
SmartSlope used as a Storm Water management device @ The Shops at Dakota Crossing



In Washington, D. C., the Shops @ Dakota Crossing is a mix use development along the Anacostia River. In the retail section of this development there is a need for 10+ retaining walls; the engineers and designers also had the task of managing the storm water on site with clay soils and a large amount of impervious surface associated with roof tops and parking lots of any retail center. An incredibly unique approach of evapotranspiration is being used, by utilizing approximately 63,000 linear feet of drip irrigation connected to captured storm water in several cisterns and running the drip irrigation through close to 55,000 sf of SmartSlope living retaining walls. Approximately 26,000 gallons per day will be evaporated into the atmosphere or utilized by the plants. SmartSlope's "rain garden" soil is being used for the media in the modules.

Commercial Projects





Approved



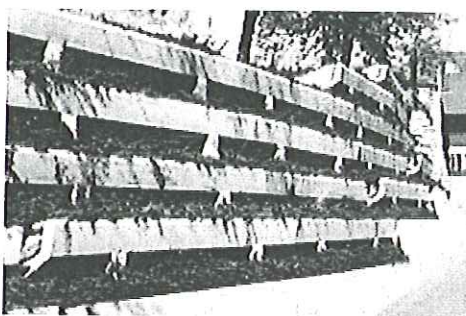
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Retaining Wall Systems

The EVERGREEN wall is composed of prefabricated element stacked on top each other. The crib wall container thus formed is filled with earth and planted. Combinations of elements of different dimensions permit foundation of resets and niches in the wall. The shape of the front profile optimizes growth opportunity for the plants which assures complete integration of the structure into its environment. Planted EVERGREEN walls are attractive green slopes in summer, with vegetation hiding the concrete and reducing noise levels. The resets and niches give accumulated winter snows interesting three dimensional structures. With EVERGREEN, the problem of graffiti is virtually eliminated and use of evergreen plants will keep the wall green year round.

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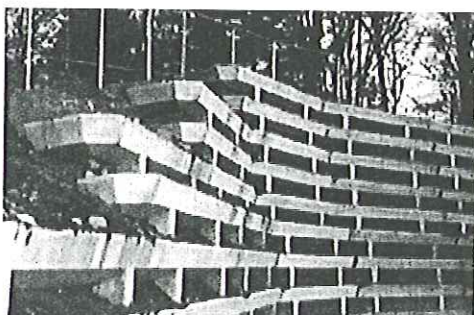
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Installation

EVERGREEN - simple to install. One machine can do all the work; excavation, erection, fill and backfill. The speed of execution permits opening steep cuts temporarily. A hydraulic excavator can place elements (representing 40 square feet of wall surface) quickly and efficiently.



Characteristics of Completed Wall

Structural & Mechanical Qualities: The EVERGREEN wall is a gravity wall consisting of precast concrete crib like elements and earth fill.

Acoustical Qualities: The EVERGREEN wall has many pockets, resets, recesses and plantings to absorb noise and



reduce noise reflections.

Long Term Stability & Safety:

The quality of prefabricated concrete elements withstand weathering conditions and assures safety of the structure for long term use.

Variety of Applications:

Retaining walls, rock revetments, slope stabilizers and noise abating walls. This unique planted wall makes it especially suitable for areas subject to graffiti. Ideal for parks, gardens, residential and commercial districts, and along highways and railroads.

General Specifications

Materials: Elements are made of reinforced concrete according to state specifications.

Fabrication & Erection: The concrete elements are prefabricated in a factory under controlled conditions. The erection of the walls consists of simple stacking of elements beside and on top of one another.

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TOWN OF MANSFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT

LINDA M. PAINTER, AICP, DIRECTOR

Memo to: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development
Date: October 11, 2012
Subject: Draft Revisions to Zoning Regulations



Attached to this memo are draft revisions to the Zoning Regulations dated October 3, 2012. The draft revisions include changes to the following regulations:

- Additions to Non-Conforming Structures
- Signs
 - Special Event Signs
 - Event/Program Registration Signs
 - Pricing Signs for Gasoline Sales
- Parking/Access Regulations
 - Driveway standards
 - Authorization for Commission to reduce required parking

The draft revisions have been reviewed by the Regulatory Review Committee and are considered ready for PZC consideration and the scheduling of a public hearing. November 19th has been tentatively identified as an appropriate public hearing date. If the Commission considers the draft revisions ready for public hearing the following motion should be considered:

_____ MOVES _____ SECONDS, that a public hearing be scheduled for November 19, 2012 to hear comments on the attached 10/3/2012 draft revisions to the Zoning Regulations. The draft regulations shall be referred to the Town Attorney, WINCOG Regional Planning Commission, adjacent municipalities, Town Council, Zoning Board of Appeals, Conservation Commission and Historic District Commission.

Mansfield Planning and Zoning Commission
Proposed Zoning Regulation Amendments
Date: October 3, 2012

Deletions are shown in ~~strikethrough~~; additions are underlined.

Topic	Purpose	Article Number	Section Number	Proposed Changes	
					Proposed Change
Nonconformities Additions to Non-Conforming Structures	The proposed changes would allow certain additions to non-conforming structures without ZBA special exception provided such addition meets certain locational conditions.	IX	C(2)(b)	<p>Expansions/Alterations – Non-conforming buildings, structures or site improvements, with the specific exception of non-conforming signs, that are associated with a conforming use may be expanded or altered in dimension, provided:</p> <p>a. All applicable dimensional requirements of these regulations are met for the expanded or altered portion of the building, structure or site improvement; or alternatively,</p> <p>b. <u>The expanded or enlarged portion of the building, structure or site improvement does not extend further into the required side or rear yards; is not closer to the front lot line, and is no greater in height than the existing building or structure; or</u></p> <p>c. <u>Special exception approval is granted by the Zoning Board of Appeals for expanded or altered portions of the building, structure or site improvement not meeting applicable dimensional requirements or the exceptions noted above in subsections (a) and (b).</u> In reviewing a request for a special exception under this section, the Zoning Board of Appeals shall determine that the proposed expansion of the non-conforming building, structure or site improvement will not adversely affect the character of or property values of neighboring properties or adversely affect the general health, welfare or safety of the Town.</p> <p>b-d. As applicable, the requirements of Article X, Section J.2 (Historic Village Areas) and Article X, Section E (Flood Hazard Zones) shall be met.</p>	

Topic	Purpose	Proposed Changes		
		Article Number	Section Number	Proposed Change
				NOTE: In situations where the “non-conformity” of the existing building, structure or site improvement was created by an action of the Zoning Board of Appeals through the granting of a variance, any additional expansion/alteration which will result in further increasing the degree of non-conformity shall require additional Variance approval from the Zoning Board of Appeals, pursuant to the provisions of Article XI, Section G.1.c, and shall not be considered as a special exception under Section 2.b (above).
Signs				
Special Event Signs	Current regulations allow 3 off-site directional signs for public, charitable or religious events held in Mansfield. Most of the signs used are not directional in nature. The proposed change would remove the word ‘directional’ to allow up to three off-site signs to advertise the event.	X	C(4)(h)(2)	Amend as follows: Special Event Signs for public, charitable, educational or religious events. One non-illuminated sign not exceeding thirty-two (32) square feet in area, for public, charitable, educational or religious events, provided the sign is posted at the site of the event no sooner than fourteen (14) days prior to the event and provided the sign is removed at the close of the event. In addition, up to three (3) offsite directional -signs, provided each of said signs does not exceed <u>five-eight (58)</u> square feet in area and provided the signs are posted and removed as per the aforementioned time requirements.
Event/Program Registration Signs	Signs advertising registration for events/programs/leagues are currently prohibited. Proposed regulations would allow such signs for a limited time period.	X	C(4)(h)	Add new sub section 6: <u>Program Registration Signs – A maximum of one (1) non-illuminated sign not to exceed eight (8) square feet may be displayed to advertise registration for an upcoming program/event. Signs shall not be placed in the public right-of-way and shall be limited to one sign per property. Signs shall be posted no sooner than fourteen (14) days before the beginning of program registration and must be removed within seven (7) days of the close of registration. In no case may such sign be displayed longer than sixty (60) days.</u>

Topic	Purpose	Proposed Changes		
		Article Number	Section Number	Proposed Change
Gasoline Pricing Signs	Gasoline pricing signs are currently limited to a maximum size of 3 feet by 4 feet, which limits design flexibility. For example, a 2 foot by 6 foot pricing sign would not be permitted even though it contains the same total area as a 3 foot by 5 foot sign. The proposed change would designate a maximum sign size in terms of square feet, thereby providing additional design flexibility	X	C(6)(a)	Amend as follows: Gasoline Service Stations: In addition to the one freestanding sign that may be authorized for commercial and industrial uses, gasoline service stations may utilize one additional sign with Zoning Permit approval, for price information, provided the dimensions of said sign do not exceed three (3) feet by four (4) feet provided the sign does not exceed twelve (12) square feet. Provided sightline or traffic safety problems are not created, the second sign shall be mounted on the same post as the primary identity sign.
Parking/Access				
Driveway Criteria	Currently, there are no provisions for driveways in the Zoning Regulations. This change would ensure that development of homes on existing lots is subject to the same driveway standards (steep slopes, common driveways, driveway length) as homes in new subdivisions.	X	D(3)	Add new subsection (3) as follows: <u>Residential Driveways.</u> New driveways for construction of one and two-family homes on existing lots shall meet the requirements of Sections 7.9, 7.10.c through 7.10.i and 7.11 of the Mansfield Subdivision Regulations. Renumber existing subsections D(3)-(18) to D(4)-D(19) and correct cross-references.
Required Parking Spaces	In many cases, actual demand for parking is less than current requirements. Until the parking regulations are thoroughly reviewed and changed to better reflect need/demand, the proposed change will allow the commission to reduce the number of required spaces to reduce the amount of excess paving on a site	X	D(5)	Amend the text following the table of required parking spaces as follows: Parking requirements for other uses and activities shall be determined by the Planning and Zoning Commission. Furthermore, the Commission may require additional parking (beyond the standards cited above) whenever a subject use utilizes delivery vehicles or reduce the number of required spaces based on parking demand/actual need.



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Affirmative Action/Equal Opportunity Employer

*Interstate Reliability Project
-C: PLE, JWA, CE*

September 17, 2012

The Connecticut Light and Power Company
P.O. Box 270
Hartford, CT 06141

Attn: Jeffrey R. Martin

Re: Notice of Deficiency

Application No: WQC-201205697; SCEL-201205698
Application Type: Section 401 Water Quality Certification; Stream Channel
Encroachment Line Permit
Project: Interstate Reliability Project
Town: Lebanon, Columbia, Coventry, Mansfield, Chaplin, Hampton,
Brooklyn, Pomfret, Killingly, Putnam and Thompson

Dear Mr. Martin:

The Department has completed an administrative review of the above referenced application received at the Department on July 24, 2012 and has determined that the application is deficient for processing. The following items must be submitted before staff can begin a detailed technical review of the application:

1. The applicant must notify the local municipal floodplain coordinator in those towns where activities being conducted within a FEMA designated flood zone could result in any change in water surface elevations or any change in flood water conveyance for significant storm events;
2. For those permanent culverts that cause water elevation increases during significant storm events, the applicant shall assess the impact of increased flooding on private property and notify the private property owners. The applicant should also determine the inundation area change / extent of increased flooding for the applicable storm events. In addition, the applicant must confirm that any / all flooding impacts resulting from installation of permanent crossings / culverts are limited to CL&P ROW and that respective property owners have been notified of potential flooding impacts;
3. Any temporary watercourse span or culvert required during the course of construction shall only be in place during that period of time in which active construction is on-going at the respective site and shall be removed immediately after construction has been completed at that site. Spans /

culverts shall also be removed during the course of construction whenever a significant storm event is forecast;

4. If proposed temporary culverts are expected to stay in-place for greater than 3 months, then the applicant must design the temporary hydraulic facilities for the derived temporary design discharge in compliance with the CT DOT Drainage manual guidelines;
5. The applicant should provide a typical design detail for temporary culvert installation. Where temporary culvert installations are associated with a road crossing through a wetland, detail shall show that the road is constructed using permeable road base materials at elevations approximating natural grade to assist in maintaining the existing hydrology in the area;
6. Each half scale site plan sheet should reference the NU BMP manual and those applicable BMP practices that will be implemented within the respective site plan areas;
7. In addition to those inspection and maintenance activities documented in the NU BMP Manual, the applicant must document the inspection and maintenance activities and schedule that will be implemented during construction and post-construction for any temporary and permanent stormwater management structures being proposed, particularly where temporary or permanent culverts are being proposed in wetland / watercourse areas;
8. For any pads being proposed within FEMA designated flood zones, the applicant shall provide a detail showing how construction mats (timber or other) will be protected from flotation in the event of a flood event;
9. Proposed new access roads shown on the site plan sheets must be differentiated between those that are temporary (i.e. shall be removed after construction and area restored to natural conditions) and those that are intended to be permanent. Site plans should also label proposed culverts as being temporary or permanent;
10. For those culverts proposed for road wetland crossings within flat wetland areas with no defined watercourse or channel, the applicant should consider the use of permeable road base materials as an alternative or in addition to the use of the culvert to help maintain existing hydrologic conditions. The applicant should provide a typical cross-section detail for access road proposed within wetland areas showing permeable road base at natural grade elevations;
11. It appears that not all roads currently existing within the CL&P ROW (as seen from aerial photographs, e.g. sheet 8, 16, 17, etc.) are being shown as existing on the site plan sheets. It also appears that the applicant is proposing new access roads in proximity to some of these existing roads. The applicant shall review site plan sheets, verify that all existing roads are accounted for on the plans, and confirm that these existing roads cannot be used in lieu of constructing new in those respective areas;

12. The applicant is advised to review the alignment of all proposed access roads and confirm that the road slopes within or adjacent to regulated resources do not exceed 15% slope;
13. The applicant must document the estimated amount of vegetative clearing that will be taking place within FEMA flood zones, floodways, and SCEL boundaries, as a possible impact to respective flood plains. The applicant's engineer shall certify that such vegetative clearings will not constitute a significant change in the hydraulic conditions for the respective reach of river associated with the clearing, and that such changes will not adversely affect river hydraulics nor degrade embankment stability;
14. On sheet 16 of the half scale plans, applicant shows a new access road parallel to existing access road. The applicant should justify need for new road in lieu of maintaining / improving the existing;
15. The applicant's engineer must sign and seal all full scale site plan sheets;
16. Work pads appear on steep slopes, sheets 7, 8, 9, 13, 14, 19, 22, 23, 35, 76, 120, etc. The applicant must specify what the maximum allowable slope is for work pad installation without need for regrading. Identify those areas on the site plan sheets where work pads are located on such slopes. The applicant can either relocate pad areas on the plans to avoid steep slopes or provide grading plans for respective areas showing the extent of grading activities and that such areas can be safely graded to allow for pad installation without additional impact to regulated areas. Note any possible resource impacts as a result of any new grading required;
17. 2,100 LF of new access road in Mansfield Hollow flood plain equates to ~780 CY of fill if 20ft wide and 6" thick. The applicant shall confirm that this fill will be removed after construction activities have been complete or otherwise account for the flood storage volume loss;
18. For all new roads proposed within FEMA designated floodplains, the applicant shall note / label on site plans where proposed road fill is intended to be removed following construction or when other alternate actions will be taken to compensate for flood storage loss (e.g. over-excavate and construct road at grade) in order to ensure that this information will be relayed to relevant contractors and environmental monitors;
19. In addition to floodplain boundaries, the applicant must delineate FEMA floodway boundaries on the site plan sheets;
20. The applicant should justify need for new access roads to pads for structures 152 and 153 when current access appears to exist from Drain Street;
21. The applicant should justify need for new access roads to pads on sheet 74 when existing access road exists;

22. Preliminary design / sizing must be provided for the temporary culvert proposed for Tanner Brook, sheet 77;
23. The applicant should consider rerouting new access road outside of wetlands on sheet 80 or otherwise provide justification for current alignment;
24. The applicant should justify need for two new parallel access roads through wetlands on sheet 81;
25. In those areas where permanent culvert installation is expected to partially or completely drain existing upstream ponds as a result of culvert installation (e.g. S20-29, S20-41D, etc.), show the approximate change in the expected average pond area and discuss potential resource impact. Consider / evaluate alternatives for such crossings including raising inlet pipe invert and road elevations to reduce breeding habitat and wetland impacts;
26. The applicant's engineer states that corrugated pipe was selected for all culverts because the increased Manning's Roughness slows water velocity. While it is true that corrugated pipe can help reduce water energy and the consequent erosive impacts, it also significantly decreases the capacity of the pipe (by more than half when compared with smooth pipe of the same size and slope) and therefore is not necessarily the best pipe material in all scenarios, particularly where the increased capacity could help reduce flooding impacts or where wetland / grading impacts can be reduced by the use of smaller pipe sizes. The use of alternate pipe materials shall be considered / evaluated for culverts wherever the potential benefits outweigh the costs with regard to flooding and wetland impacts;
27. The applicant shall justify the use of the Army Corps Riprap Protection methodology described in Engineering Manual 1110-2-1601 for outlet protection design. This procedure is typically for stability / protection of channel embankments and is usually not applicable to turbulent areas such as culvert outlets. The design procedure detailed in the DOT Drainage Manual for outlet protection (i.e. riprap aprons and preformed scour holes) should be used unless specific site conditions require the use of other methodologies. Outlet protection details must be provided on the site plans;
28. The applicant shall confirm that the installation of permanent access roads and culverts across any intermittent or perennial watercourse will not significantly decrease the storage capacity of upstream areas, and will thereby not increase peak flows discharging downstream for significant storm events;
29. The applicant's engineer shall confirm that all work proposed within FEMA designated flood hazard areas meets or exceeds minimum National Flood Insurance Program (NFIP) standards and requirements;

30. The applicant shall show how the island within Sawmill Brook will be accessed for vegetation clearing (Sheet 25), and
31. The application states that construction mats may not be used in wetlands if the ground is frozen. Construction mats shall be used in wetlands at all times and the application must be revised accordingly;

The information requested should be submitted to the Department within thirty (30) days of the date this Notice was issued. If this information is not provided, or if the information provided is inadequate, the Department may deny your application. As the detailed technical review continues, you may be requested to provide additional information. It is important that all additional information requested be submitted within the time period specified.

Please be advised that the discharge of dredged or fill material to the waters of the United States without the required State water quality certificate and proper authorization under Section 404 of the Federal Clean Water Act is a violation of the law and is subject to enforcement proceedings and legal action under 33 CFR Part 326 and citations thereunder.

If you have questions regarding the application, you may contact Bob Gilmore at (860) 424-3866, Robert.Gilmore@ct.gov. All correspondence regarding the application should reference the application number identified above and be addressed to Bob Gilmore, Inland Water Resources Division, Bureau of Water Protection and Land Reuse, Department of Energy and Environmental Protection, 79 Elm St., Hartford, CT 06106-5127.

Sincerely,



Cheryl A. Chase, Director
Inland Water Resources Division
Bureau of Water Protection & Land Reuse

CC:MS

cc: Susan Lee, New England District, US Army Corps of Engineers
Michael Marsh, US EPA Region 1
Charles, J. Nicol, Northeast Utilities Service Company
Chris Fritz, Burn & McDonnell

PAGE
BREAK

CONNECTICUT FEDERATION OF PLANNING AND ZONING AGENCIES QUARTERLY NEWSLETTER

Fall 2012

Volume XVI, Issue 4

CHALLENGE WHETHER APPLICATION IS 'AFFORDABLE HOUSING' MUST BE RAISED BEFORE COMMISSION

An application was filed to construct 12 residential units on a one acre parcel. The parcel was being used for a single family residence. The application called for rezoning the parcel to a housing opportunity zone. Then, in two proposed buildings, 12 residences would be housed, four of which would be for affordable housing.

During the public hearing process, neighbors raised concerns over traffic and drainage. Experts hired by the applicant attempted to address these concerns. After the hearing closed, the application was denied for these reasons.

Only on appeal to court did the commission raise the issue that the application did not qualify as an affordable housing application. Defects in the affordable housing application were pointed out that disqualified it from being an affordable housing application.

The court refused to hear this argument, claiming that since the issue was not raised at the public hearing and was not a reason for decision, it could not be addressed by the court. The court was particularly concerned about due process and fairness to the applicant. If there were deficiencies in the plan, they should have been raised during the public hearing so that the applicant could respond to them. *See Landco Housing LLC v. Fairfield PZC, 53 Conn. L. Rptr. 836 (2012).*

ZONING VIOLATION ESCAPES ENFORCEMENT DUE TO MUNICIPAL ESTOPPEL

After a property owner had been issued a zoning permit and commenced construction of a sizable detached garage, a cease and desist order was issued. The basis for the order was that the structure being built exceeded the size of the building allowed by the zoning permit. An appeal to the zoning board of appeals by the property owner was unsuccessful. However, his appeal to court was successful. The cease and desist order was found by the court to be unenforceable due to the doctrine of municipal estoppel.

The doctrine of municipal estoppel can prevent the enforcement of zoning regulations when a municipal official, acting in his official capacity, induces another to act and that party does indeed act and substantial harm would occur if said official action was undone.

In this case, the property owner had sought a zoning permit from the proper town official, who then issued the permit which induced the property owner to act and start construction of a garage. When the cease and desist order was issued, the court found that substantial harm would result if the regulations were enforced as the order would require that the garage under construction be removed. It was of no importance to the court that part of the garage could remain and many of the expenditures made as of the time the

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CONNECTICUT FEDERATION OF PLANNING AND ZONING AGENCIES QUARTERLY NEWSLETTER

Fall 2012

Volume XVI, Issue 4

cease and desist order was issued, such as installing a septic system and a well, would serve an existing cabin on the property. *See Crisman v. Zoning Board of Appeals*, 137 Conn. App. 61, (2012).

FAILURE TO RECORD HEARING DOES NOT INVALIDATE BOARD DECISION

A decision of a zoning board of appeals was appealed to court. When the administrative record was being prepared for its return to court, it was discovered that a transcript of the public hearing could not be fully prepared due to a mechanical problem with the recording equipment. The court ruled that the appropriate remedy is not to remand the matter back to the Board for a new hearing. Instead, the General Statutes sec. 8-8(k) provides that a hearing is to be held in Court where evidence can be taken to complete the record. *See Edwards v. Zoning Board of Appeals*, 53 Conn. L. Rptr. 473 (2012).

APPOINTMENT OF ENFORCEMENT OFFICER MUST COMPLY WITH TOWN CHARTER

Where a town charter provided for only one wetlands enforcement officer, the appointment of a second, independent officer, was found by the State Supreme Court to be null and void. In this case, the town, in attempting to respond to the complaints of a developer regarding the town wetlands director's supervision of his project, appointed a

second inland wetlands enforcement officer who would supervise his project for compliance with the wetland regulations. This new officer would operate independently of the wetlands director.

The terms of the town charter provided for only one wetlands enforcement officer, who was the wetlands director. The court found that the appointment of a second wetlands officer was beyond the terms of the charter and thus illegal. It was beyond the authority of the town and its wetlands agency to appoint a second enforcement officer. *See Bateson v. Weddle*, 306 Conn. 1 (2012).

SUPREME COURT INSTRUCTS ON HOW TO MEASURE THE LENGTH OF CUL-DE-SAC

An application for subdivision approval was denied for the reason that if the plan was approved, the resulting road would exceed the permitted length for a dead end street. In denying the application, the Commission determined that the new road would be an extension of an existing subdivision road. When the lengths of these roads were added together, they exceeded the allowable limit as provided in the regulations. An appeal to court was taken. While the trial court and the court of appeals agreed with the Commission's interpretation of its regulations, the Supreme Court ruled otherwise.

In finding that the Commission was incorrect in its decision, the Court

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found that under the definition of street found in the regulations, these two streets were separate and distinct and should not be viewed as one continuous road. For instance, the intersection of these streets would be at 90 degrees in compliance with requirements in the regulations for street intersections. Furthermore, the existing street was a loop or lollipop road which did not meet the definition contained in the regulations for a dead end street. Thus, the proposed road, which was a dead end street, should not include the length of the existing road in determining whether it complied with the length requirement for dead end streets found within the regulations.

It should be noted that in reaching its erroneous decision, the Commission ignored the advice of its professional planner, something the Court pointed out as further evidence that the Commission's decision did not follow its own regulations. *See Kraiza v. Planning & Zoning Commission, 304 Conn. 447 (2012).*

LEGISLATIVE UPDATE

Public Act 12-151 has amended Connecticut General Statutes Sec. 22-42a by: 1) By allowing an inland wetland and watercourses commission to attach a condition of approval to an application for a regulated activity the terms of which restrict the time of year when the regulated activity can take place. Thus, activity could be limited to when the area is drier or when wildlife

are least likely to be impacted by the proposed development; and 2) limiting the validity of a permit to 10 years or to when a companion planning or zoning permit expires, whichever is earlier.

ANNOUNCEMENTS

Membership Dues

If you have not paid your membership dues for this year, please do so as our organization operates solely on the funds provided by its members. So that we can continue to offer the services you enjoy, please pay promptly.

Workshops

If your land use agency recently had an influx of new members or could use a refresher course in land use law, contact us to arrange for a workshop. At the price of \$175.00 per session for each agency attending, it is an affordable way for your commission or board to keep informed.

Workshop Booklets

Copies of the booklets handed out at workshops are now available to members at the price of \$6.00 each and to non-members for \$9.00 each.

ABOUT THE EDITOR

Steven Byrne is an attorney with an office in Farmington, Connecticut. A principal in the firm of Byrne & Byrne, he maintains a strong focus in the area of land use law and is available for consultation and representation in all land use matters both at the administrative and court levels.

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Attorney Steven E. Byrne
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PLANNING AND ZONING COMMISSION



JoAnn Goodwin, Chair

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October 5, 2012

Mr. Daniel D. Morley
Policy Development Coordinator
Intergovernmental Policy Division
Office of Policy and Management
450 Capitol Avenue
Hartford, Connecticut 06106-1308

Re: Draft 2013-2018 Connecticut Conservation and Development Policies Plan

Dear Mr. Morley:

Thank you for providing municipalities with the opportunity to review and comment on the draft Conservation and Development Policies Plan for the State of Connecticut. We appreciate the effort that your office has put into drafting this document, and support the six growth management principles identified in the plan as well as the supporting policies. However, we have significant concerns regarding the methodology used to develop the Locational Guide Map, which has resulted in large portions of our rural community being designated as Priority Development Areas.

Priority Development Areas

As home to the University of Connecticut's main campus, we are in a rather unique position. The vast majority of town is comprised of forests, wetlands and agricultural lands, dotted by historic villages. The two exceptions to this are the University's main campus and the south side of town that borders the short limited access section of Route 6. Due to the university's presence, we have a bus route running up Storrs Road from Willimantic to north of Route 44. While this transit service is important to our community and we would love to see it expanded, it is by no means similar in nature to an urban transit district in terms of number of buses or frequency of service. However, due to the methodology used to identify 'Priority Development Areas,' the entire west side of Storrs Road leading from southern Mansfield to Storrs has been designated as a Balanced Growth Area, which is incompatible with its rural character.

Similarly, while many properties in the Storrs area are fortunate to have access to the University's sewer and water service, this service exists primarily to serve the University, as does their shuttle service. However, the mere existence of this service has resulted in the entire northwestern quadrant of the town being designated as a Priority Development area.

The two examples listed above demonstrate the flaws in the methodology used to identify Priority Development Areas, including the use of census blocks as the defining geographic area and no differentiation in the types of 'urban services' that are provided. While we understand that you are constrained by the need to approach the Locational Guide Map with a uniform methodology for all of the cities and towns in the state, we believe that a much more refined approach is needed to ensure that Priority Development Areas are truly representative of the growth management principles and policies embodied in the plan. Unfortunately, while the plan is clear that the principles and policies are the primary source for guiding development activities, many people will look solely at the map without considering the context in which an area was designated. Therefore, if it is not possible to develop a more refined methodology for designation of Priority Development Areas, we recommend the following guidance be added to the section explaining the Locational Guide Map:

- In cases where a census block is large, such as in rural areas, the features that resulted in it being designated as a Priority Development Area may be in one discrete area of the census block. This should be taken into consideration when reviewing proposed projects – in other words, the context of how the area received a designation of Priority Development Area should be factored into any review of development proposals. For example, presence of sewer and water service in one small area of the census block should not be used to justify development in another location within the block that may not be appropriate for development.
- While the explanatory text notes that the application of the PDA to the entire census block 'should not be construed as influencing local land use and zoning decisions or municipal plans of conservation and development,' this language should be strengthened to state that municipal plans of conservation and development should be consulted as part of the review of state projects. While state projects are not subject to local planning and zoning regulations, local plans of conservation and development typically address land use in a more refined manner, and should be considered as part of the overall project context.

Priority Conservation Areas

The following issues should be considered with regard to areas designated as Priority Conservation Areas (PCA). Some of these changes could be made to the way in which these areas are mapped; others may be more appropriate as clarifying text that supplements the map. In addition, we have enclosed updated maps depicting permanently preserved open space and locally designated agricultural soils so that those areas may be incorporated in the Priority Conservation Areas.

- *Agricultural Soils.* Add Additional Statewide Important agricultural soils to areas designated for priority conservation, and use an aggregate of 25 acres for all agricultural soil types. Currently there may be different soil types (Primary, Local Important, Additional State Important) of less than 25 acres adjacent to each other, which when combined total more than 25 acres. This change in base modeling will appropriately result in more areas being designated for either Balanced Growth or Priority

Conservation. If it is technically impractical to use an aggregate of 25 acres, consider reducing the base threshold.

- *Steep Slopes.* Consider adding steep slopes as one of the conservation criteria.

Balanced Growth Areas

As noted above, the use of census blocks as the minimum geographic area for identifying Priority Development Areas is a concern due to the size of census blocks in rural areas. If there is no way to further refine these areas, clarifying language to supplement the map should be added, particularly in areas designated as 'Balanced Growth' due to the presence of the following: Level A Aquifer Protection Areas, Flood Hazard Areas and Drinking Water Supply Watersheds. While these areas may be designated as Balanced Growth, there should be language indicating that if the Balanced Growth designation is the result of the intersection of a Priority Development Area with one of the above categories, the Conservation areas should be given greater weight due to the types of resources involved.

For example, the Horsebarn Hill area of UConn and portions of the UConn Forest are shown as 'Balanced Growth,' due to the availability of UConn sewer, water and transportation within the census block. However the entirety of the area is within a drinking water supply watershed and a large portion is covered by the Level A Aquifer protection area for the Fenton River well field. As such, these areas are inappropriate for development, yet are depicted as balanced growth, not conservation, due to the size of the census block and location of water, sewer and transit service to the limited facilities located within the census blocks.

Clarification on Priority Funding Area limitations

It is our understanding that only 'growth related projects' must be located within a Priority Development area to be eligible for funding unless an exception is granted. Clarification of this point is needed, particularly with regard to conservation activities within Priority Development Areas and Undesignated Areas. For example, if a property owner is interested in a purchase of development rights to preserve the agricultural use of a property, would that be eligible for state funding if the property is 'undesignated' – either in whole or in part. The same question would apply to funding for open space conservation.

Additionally, given the smart growth principles embodied in the plan policies, it would seem that the provision of parks and open space in close proximity to higher density development is desired. For Example, GM Principle 2 includes the following policy: "Encourage and promote access to recreational opportunities, including trails and greenways, for affordable and mixed-use housing." However, it is unclear as to whether funding could be provided for acquisition and development of open space and recreation facilities in Priority Development Areas. This should be clarified in supplemental language to the map to ensure that funding opportunities address both the written principles and policies of the plan as well as the locational guide map.

Changes to the Locational Guide Map

As described above, we have significant concerns with the way in which large segments of Mansfield have been identified as 'Priority Development Areas.' As such, unless the methodology for designating these areas can be better refined to address our concerns, we have identified several changes to the Locational Guide Map, primarily to remove areas from the designation of 'Priority Development Area.' There is one location where we are requesting

property to be designated as a Priority Development Area. This area is designated as a growth area on the current locational guide map and is also identified within the Mansfield Plan of Conservation and Development as a Planned Development area.

We further recognize that some of the areas we are asking to have removed from the Priority Development Area designation such as Spring Manor Farm and the Horsebarn Hill/UConn forest area are owned by the State/University. We hope that these requests will be given due consideration even though we have no jurisdiction over their development or use.

Given the extent of our concerns, we would appreciate the opportunity to meet with you to discuss changes to the Locational Guide Map and its methodology. Please contact Linda Painter, our Director of Planning and Development at 860.429.3330 or painterlm@mansfieldct.org to set up a meeting or if you have any questions regarding our comments.

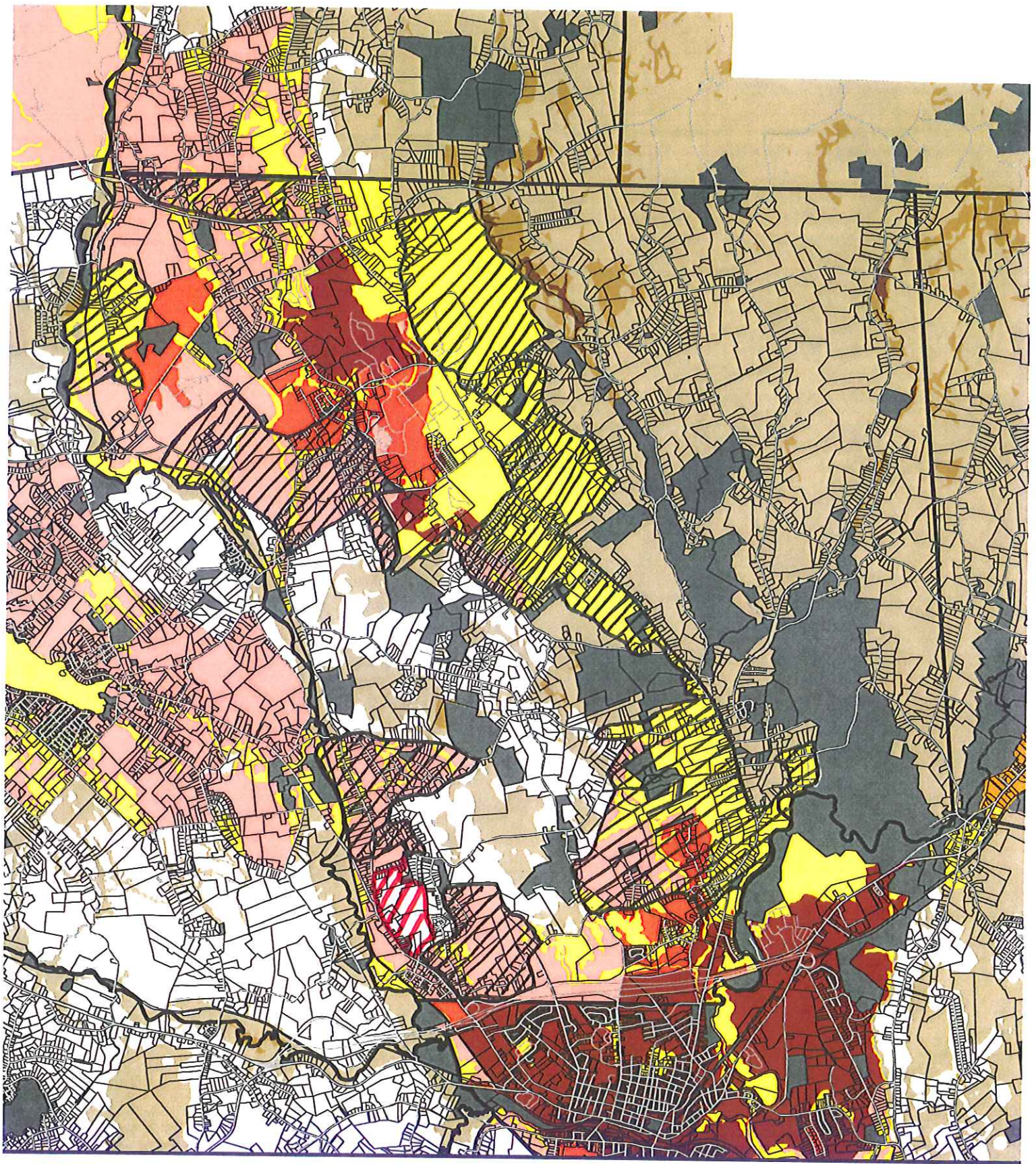
Sincerely,

A handwritten signature in dark ink, appearing to read 'JoAnn Goodwin', is written over the word 'Sincerely,'.

JoAnn Goodwin
Chair

Enclosures: Proposed Changes to Priority Development Areas
Locally Designated Agricultural Soils
Preserved Open Space map

C: Planning and Zoning Commission
Town Council
Conservation Commission
Open Space Preservation Advisory Committee



Connecticut POCD Location Guide Map

Legend

- Village Development Areas
- Permanent Open Space/Farmland Pres.
- Balanced Growth Areas

Priority Development Areas

TOTAL DEV

- 1-2
- 3
- 4-6

Priority Conservation Areas

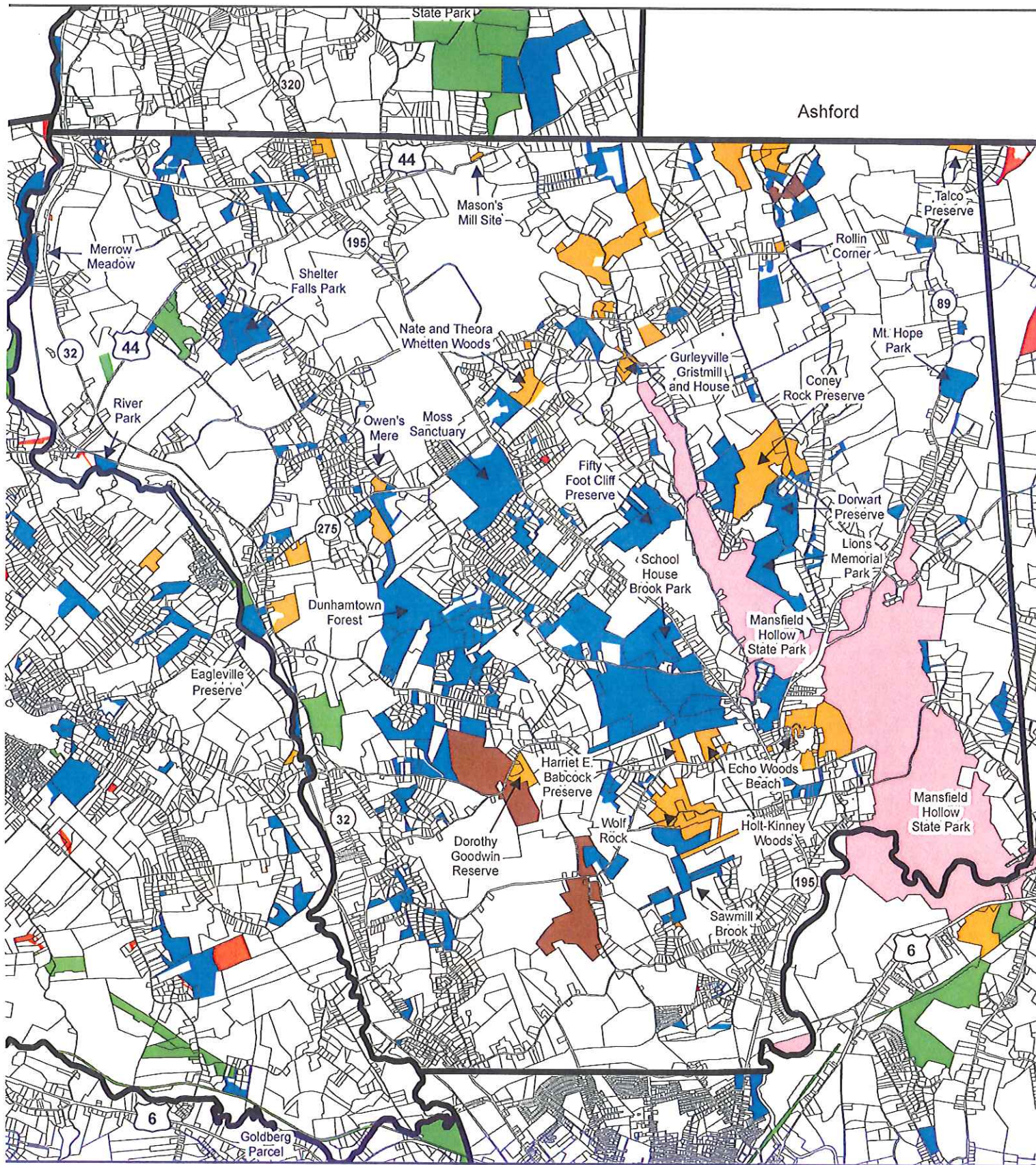
TOTAL

- 1-2
- 3
- 4-6

X Remove from PDA

X Add to PDA



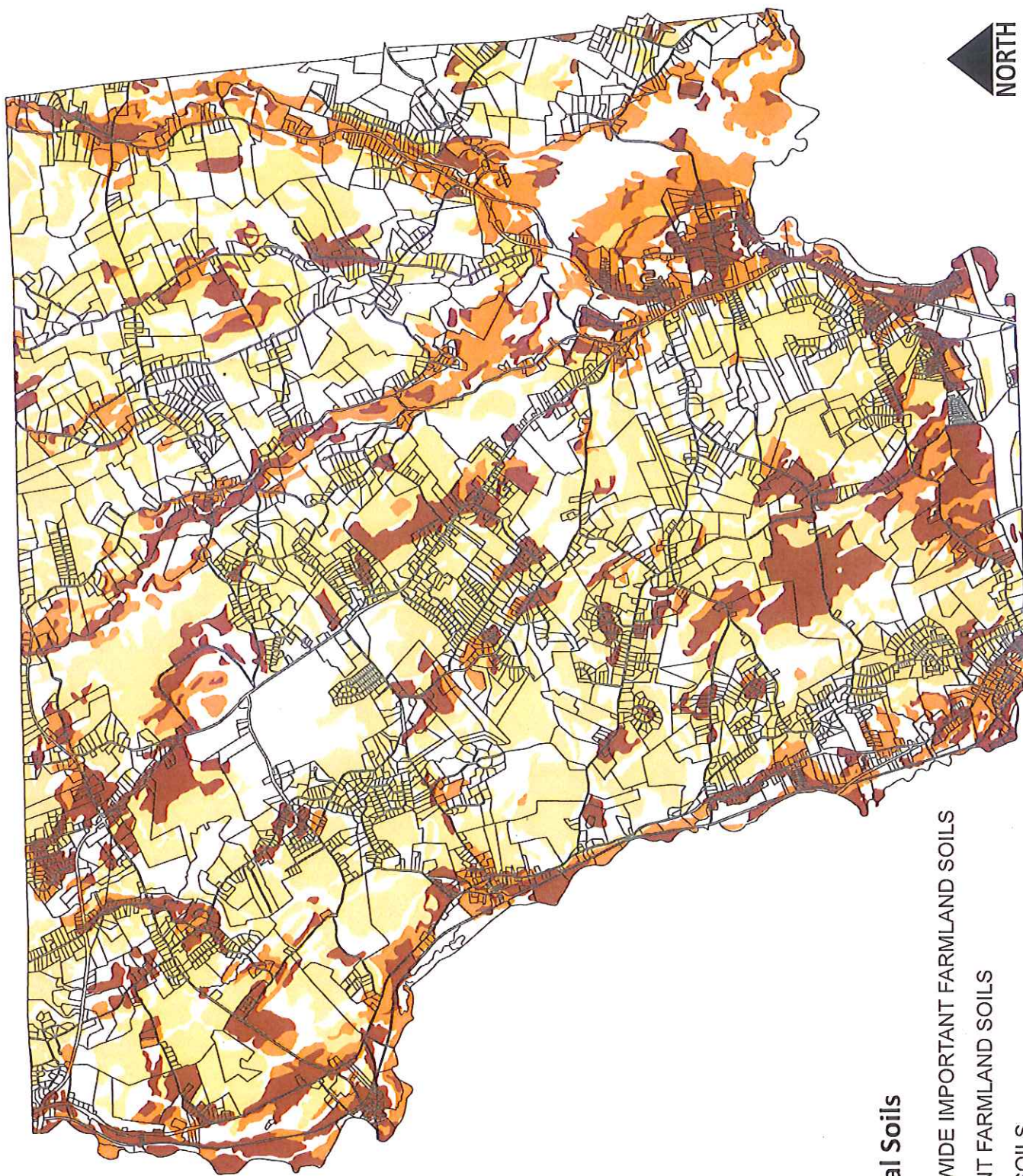


Open Space

- Farmland Preservation
- Federal
- Land Trust
- Municipal
- Private
- State

Mansfield Open Space





Mansfield Agricultural Soils

- ADDITIONAL STATEWIDE IMPORTANT FARMLAND SOILS
- LOCALLY IMPORTANT FARMLAND SOILS
- PRIME FARMLAND SOILS

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ZONING BOARD OF APPEALS

DECISION NOTICE

On October 10, 2012, the Mansfield Zoning Board of Appeals took the following action:

Denied the application of Jeff Barron - Pride Signs for a variance of Art X, Sec C.6.e to erect 13 awning signs at Applebee's Neighborhood Bar & Grill, in addition to the 1 authorized building identity sign, at 93 Storrs Rd.

In favor of approving application: Clauson, Gotch, Katz

Opposed to approving application: Accorsi, Brosseau

Reason for voting in favor of application:

- Topography

Reason for voting to oppose application:

- No demonstrated hardship

Application was denied.

Additional information is available in the Town Clerk's Office.

Dated October 11, 2012

Sarah Accorsi
Chairman

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